

RULES OF THE HOUSE OF REPRESENTATIVES

STATE OF HAWAII

THIRTY-FIRST LEGISLATURE

2021-2022

Preface to House Rules

It is the policy of the House of Representatives that no member or staff shall be discriminated against based on race, sex, age, religion, color, ancestry, mental or physical disability, genetic information, citizenship, national origin, veteran/military status, marital status, pregnancy, childbirth, breastfeeding or related medical condition, sexual orientation, gender identity or expression, arrest and court record, domestic or sexual violence victim status, credit history, whistleblower status, or any other status or condition that is protected by state or federal law.

It is the policy of the House to provide a work environment free from violence, threats of violence, harassment, intimidation, and other disruptive behavior. House members and staff shall be treated with dignity and respect at all times.

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PART I. ORGANIZING THE HOUSE**Rule 1. Election of Officers; Selection of Party Leaders; Succession**

- 1.1. When the House convenes, the member from the First Representative District shall act as temporary presiding officer. The House shall then immediately elect a temporary chair. The temporary chair shall appoint a temporary Chief Clerk and a credentials committee of no fewer than three members.
- 1.2. The credentials committee shall immediately examine the credentials of the members elected. Upon verification that the credentials are in order, the credentials committee shall report this to the House, and the temporary chair shall order the temporary Chief Clerk to call the roll.
- 1.3. The temporary chair shall then appoint a committee of no fewer than three members to wait upon a justice of the Supreme Court or a judge of the Intermediate Court of Appeals or Circuit Court to administer the oath of office, as required by the Constitution of the State of Hawaii. After the oath has been duly administered, the House shall organize by electing by resolution, a Speaker, Vice Speaker, Chief Clerk, Assistant Chief Clerk, Sergeant-at-Arms, and Assistant Sergeant-at-Arms and by adopting Rules.
- 1.4. The members of the majority and minority parties shall designate, respectively, a Leader, Floor Leader, Whips, Assistant Leaders and Assistant Floor Leaders as they may choose to have.
- 1.5. The Speaker and Vice Speaker shall hold office during the term for which they are elected to the House, unless sooner removed by majority vote of the House. If they are reelected to membership in the House for the succeeding term, they shall retain their respective positions until the day before the opening day of the succeeding Legislature.
- 1.6. The Majority Leader, the Majority Floor Leader, the Minority Leader, the Minority Floor Leader, Whips, Assistant Leaders and Assistant Floor Leaders as the House members of the majority and minority parties may select shall hold office during the term for which they were elected to the House, unless sooner removed by their respective parties.
- 1.7. If the office of Speaker becomes vacant, the Vice Speaker shall serve as acting Speaker until a successor Speaker is duly elected by the House.
- 1.8. Any vacancy in the office of Speaker and Vice Speaker shall be filled by election by the House.

PART II. OFFICERS, PARTY LEADERS, AND EMPLOYEES**Rule 2. The Speaker**

- 2.1. It shall be the duty of the Speaker to:
 - (1) Open the meetings of the House;
 - (2) Maintain order in the House Chamber and require proper decorum at all times on the part of all those present in the House Chamber;
 - (3) Announce the business before the House in the order prescribed by these Rules;

- (4) Receive all matters brought properly before the House and submit them to the House, and call for votes on these matters and announce the results of the votes;
- (5) Consult with and advise the committees of the House and assist them in their work as an ex officio member without vote;
- (6) Receive all communications from other branches of the Government and present them to the House;
- (7) Assign to each member of the House a seat on the floor of the House; until the Speaker assigns seats to the members, they may occupy any vacant seat;
- (8) Authenticate all acts of the House by signing appropriate documentation;
- (9) Make known the Rules of Order upon request and decide all questions of order, subject to appeal to the House;
- (10) Issue warrants to arrest offenders upon the order of the House, and issue subpoena and subpoena duces tecum requiring the attendance of witnesses or the production of books, documents, or other evidence in any matter pending before the House or any committee;
- (11) Clear the House of any or all persons except its members and officers if the House adopts a motion to require it, or if there is a disturbance or disorderly conduct at any time;
- (12) Direct committees of the House to consider messages from the Governor or other communications from the executive;
- (13) Appoint any member to preside over the meetings of the House if the Vice Speaker, Majority Leader, and Majority Floor Leader are not available to perform such duties, but such substitution shall not extend beyond an adjournment;
- (14) Within four session days, refer all bills to committees, subject to an appeal to the House. In referring bills to one or more standing committees, the first referral shall be to the standing committee whose area of responsibility as described in Part III of these Rules is most closely related to the subject matter contained in the bill being referred. In the case of multiple committee referrals, the Speaker shall name the standing committee referred to in the sentence immediately preceding as the committee having primary responsibility for making recommendations for action on the bills so referred. However, where more than one standing committee could qualify as the committee having primary responsibility, preference shall be given to the committee having jurisdiction on a statewide, rather than a local, basis.

The chair of a standing committee affected by a referral of a bill may appeal the referral to the Speaker within 24 hours from the time the referral sheet containing the subject referral is made available to the members of the House. The Speaker shall review the appeal and shall meet with the chair and the chair(s) of the standing committee(s) affected by the referral to settle their differences. If the Speaker is unable to settle the differences between and among the chairs of the standing committees involved within 48 hours after the filing of the appeal, the Speaker shall immediately forward the appeal to the Review Panel which shall make its recommendation to the Speaker within 24 hours after receipt of the appeal. If the Speaker shall concur with the recommendation of the Review Panel, the referral of the bill shall stand or the bill shall be re-referred, as the case may be, according to or consistent with the recommendation. If the Speaker disagrees with the recommendation of the Review Panel, the Speaker shall submit reasons in writing in support of the Speaker's decision to the Review Panel and the chairs of the standing committees involved within 24 hours of the receipt of the recommendation from the Review Panel. The Speaker's decision shall be the final disposition of the matter.

The Review Panel shall be composed of the Majority Leader who shall serve as chair, the Vice Speaker and Majority Floor Leader;

- (15) Appoint the chair and members of conference committees pursuant to Rule 16;
 - (16) Establish final dates for action on legislation. These shall include the final date for introducing bills pursuant to Rule 33.4, the final date for third reading of House bills, the final date for third reading of Senate bills, the final date for approving conference committee agreements and drafts of bills, the final date for final reading of the General Appropriations Bill, and the final date for final reading of the Supplemental Appropriations Bill. The Speaker shall coordinate with the President of the Senate to establish these final dates within seven days after the opening of the legislative session;
 - (17) Notify members of the names of individuals nominated for or appointed to a task force, commission, working group, or similar position requiring the Speaker to nominate individuals for such a position. The Speaker shall not less than annually publish a list of those individuals nominated or appointed; and
 - (18) Perform other duties required by law or these Rules.
- 2.2. To facilitate House floor proceedings, the Speaker may establish dates for a consent calendar consisting of all third and/or final reading bills that have not been selected for debate by any member. Said bills shall be considered without debate, but members shall be permitted to insert into the House Journal written remarks in support of or in opposition to the measure, consistent with the usual practices of the House. If a consent calendar is established pursuant to this rule, the Speaker shall set the deadlines for members to communicate to the Chief Clerk their intention to debate calendared bills.
 - 2.3. The Speaker after giving all members at least 15 days prior written notice may authorize legal action on behalf of the House and shall notify members of non-confidential legal action taken on behalf of the House, provided no other external legal actions affecting the Legislature's interest shall necessitate more expedient action by the House. The Speaker shall not less than annually report the status of each legal action and disclose expenditures and costs to the members.

Rule 3. The Vice Speaker

The Vice Speaker shall consult with and advise the standing committees and assist them in their work as an ex officio member without vote and shall perform such other duties as may be assigned by the Speaker; provided that the Vice Speaker shall serve as a voting member of the Committee on Legislative Management. In the absence of the Speaker, the Vice Speaker shall exercise all the duties and powers of the Speaker.

Rule 4. Party Leaders

- 4.1. The Majority and Minority Leaders and Floor Leaders, Majority and Minority Whips, Assistant Leaders and Assistant Floor Leaders as the members of the majority and minority parties may choose to have, shall perform such duties as may be assigned by their respective memberships.
- 4.2. If the Speaker and Vice Speaker are absent when the House convenes, the Majority Leader or Majority Floor Leader, in that order, may convene the House and shall serve as Acting Speaker until the Speaker or Vice Speaker returns.

Rule 5. The Clerk

- 5.1. The Chief Clerk shall be responsible for the safekeeping of all records of the House. The Chief Clerk shall retain possession of all original documents, unless the Speaker orders the Chief Clerk to release the records to someone else.
- 5.2. The Chief Clerk shall make a record each day of all matters brought before the House. This record shall state in a complete and concise manner, the nature of the matters brought before the House, the names of their introducers, and the date and day of the session on which the House considered the matters. This daily record and such additional matters as the Speaker may order the Chief Clerk to include in it shall constitute the Journal of the House, a copy of which shall be made available on the following session day or as soon thereafter as practicable. The House shall approve the Journal, subject to corrections, by vote of the House. However, the House may dispense with the reading of the Journal by majority vote.
- 5.3. The Chief Clerk shall read all bills, resolutions, and other matters aloud to the House when the House requires it.
- 5.4. The Chief Clerk shall immediately forward all communications and other matters the Chief Clerk receives to the parties to whom they are addressed.
- 5.5. The Chief Clerk shall deliver immediately to the chairs of the appropriate committees all matters duly referred to those committees.
- 5.6. The Chief Clerk shall maintain for the committees of the House a record of subjects contained in messages from the Governor, which are referred to the committees.
- 5.7. The Chief Clerk shall keep a record of all questions of order and the decision on each of them, and the Chief Clerk shall append this record to the Journal at the close of the session.
- 5.8. The Chief Clerk shall perform all other duties appropriate to the Chief Clerk's office that the House or the law assigns.

Rule 6. Assistant Clerk

The Assistant Chief Clerk of the House shall assist the Chief Clerk in all duties. In the absence of the Chief Clerk, the Assistant Chief Clerk shall perform all duties of the Chief Clerk.

Rule 7. Sergeant-at-Arms

- 7.1. The Sergeant-at-Arms shall:
 - (1) Execute the orders of the Speaker;
 - (2) Attend every session of the House;
 - (3) Maintain order among persons who attend the sessions of the House;
 - (4) Notify the presiding officer of the presence of persons who have communications for the House or who otherwise are of interest to the House;
 - (5) Keep the entrances and exits of the House clear at all times, and keep from the floor of the House all persons except members of the House, authorized employees of the House, and guests of the House;
 - (6) If requested, maintain order among persons attending meetings or hearings of committees of the House;
 - (7) Serve all orders or process directed by the Speaker or the House;
 - (8) Make all arrests ordered by the Speaker or the House and restrain persons in custody;
 - (9) Be responsible for the House postal service; and
 - (10) Be responsible for the House's safety and security operations, including emergency procedures.
- 7.2. The Sergeant-at-Arms shall be responsible for making purchases for the House in accordance with the House Administrative and Financial Manual.
- 7.3. The Sergeant-at-Arms shall be custodian of all property of the House and shall perform all duties related to its safeguard, care, and maintenance as provided in Part VIII of the House Administrative and Financial Manual.

Rule 8. Assistant Sergeant-at-Arms

The Assistant Sergeant-at-Arms shall assist the Sergeant-at-Arms in all duties. In the absence of the Sergeant-at-Arms, the designated Assistant Sergeant-at-Arms shall perform all duties of the Sergeant-at-Arms.

Rule 9. Officers and Employees: Responsibilities; Salaries

- 9.1. In addition to the responsibilities assigned by law and these Rules, all officers and employees of the House may be assigned responsibilities by their respective appointing authorities.
- 9.2. The pay of each member shall be pursuant to Article XVI, Section 3.5 of the Constitution of the State of Hawaii. Officers and employees of the House shall be employed and paid as authorized in the House Administrative and Financial Manual.

Rule 10. Officers and Employees: Floor Session Attire

While present on the floor of the House Chamber, each member shall be dressed in court attire; provided that on Fridays, any member may dress in aloha attire. "Court attire" means coat and tie for men and jackets for women.

PART III. COMMITTEES**Rule 11. Standing Committees: Composition; Chair; Decision-making; Reports**

- 11.1. Standing committees shall be committees established to consider and report on all bills, petitions, resolutions, budgets, and any other matters referred to such committees.
- 11.2. The composition of the standing committees shall be as follows:
 - (1) The membership of each standing committee shall be appointed by the Speaker. The respective chairs and vice-chairs of each standing committee shall be appointed by the Speaker;
 - (2) The membership of each standing committee, including the designation of the chair and vice-chair shall be provided for by resolution, provided, however, that the composition of the committee shall be on a proportional basis with the members of the majority party designating the chair, vice-chair, and majority party members, and the members of the minority party designating the minority party members; and
 - (3) The Speaker and Vice Speaker shall be ex officio members of each committee without vote; provided that the Vice Speaker shall serve as a voting member of the Committee on Legislative Management.

- 11.3. The chair of each standing committee shall call and preside over all standing committee meetings; determine the order of deliberations on bills, resolutions, and other matters over which the standing committee as a whole retains jurisdiction; coordinate the scheduling of meetings and public hearings of the standing committee and assure that such schedules and agendas are posted or distributed as required by these Rules; establish guidelines to coordinate the flow of work to assure that directions of the House are fulfilled; supervise the work of the committee staff; and supervise the maintenance and disposition of the records of proceedings of the standing committee. The vice-chair shall, at the request of the chair, assist the chair in the performance of any duties. The vice-chair shall perform the duties of the chair in the chair's absence.

If the chair and vice-chair are unavailable to preside over a committee meeting, the Speaker may designate a committee member from the majority party to preside over the meeting.

If the chair and vice-chair are unavailable to sign a meeting notice, committee report, or other committee document in time to meet an applicable deadline, the Speaker may sign the document.

If a chair of a standing committee refuses a request of a majority of the committee members to set for public hearing a bill or resolution referred to the committee, the majority of the committee members may petition the Review Panel established under Rule 2.1(14) to compel the chair to set the bill or resolution for public hearing. The Review Panel shall establish a process pursuant to which the Review Panel shall receive and consider the petition and shall make a recommendation to the Speaker. If the Speaker concurs with the recommendation of the Review Panel, the chair shall either be sustained or be directed to duly set the bill or resolution for public hearing at the next available date according to or consistent with the recommendation. If the chair refuses to comply with the order of the Speaker, then the vice-chair shall act as chair for the purpose of hearing the bill or resolution under consideration. If the vice-chair refuses, then the Speaker may appoint any member of the House to act as temporary chair. If the Speaker objects to the recommendation of the Review Panel, the Speaker shall submit reasons in writing to support the Speaker's decision, which shall be the final disposition of the matter.

- 11.4. The chair of each standing committee shall keep a record of public hearings and shall file same with the State Archives, through the Speaker as soon as practicable after each session.

11.5. Committee Meetings.

- (1) Meetings, including decision-making sessions, of standing committees shall be public. Notice shall be publicly posted or announced on the House floor at least 48 hours prior to the meeting. Except for notices posted by the Committee on Finance, notice shall be posted before 4:30 p.m. on the last day of the work week for a hearing to be held on the following Monday or Tuesday. Notice of meetings may be shortened at the discretion of the Speaker upon request on the House floor by a chair or vice-chair and upon good cause shown.
- (2) No standing committee shall sit during the time when the House is actually in session except with the permission of the Speaker.
- (3) As practicable, standing committees shall schedule their meetings at times and at places as are convenient for attendance by the general public, and shall, in coordination with other committees of the House or Senate, endeavor to hold joint meetings and public hearings on matters of mutual interest.
- (4) No bill or resolution other than a congratulatory resolution shall be reported out of a standing committee unless the measure shall have received a public hearing in the House; provided that a bill which contains only a reference to the general idea of the bill in short form and contemplates the subsequent drafting of the specific details in long form may be reported out of a standing committee without a public hearing so long as the bill is reported out:

- (a) In an amended form containing the substantive contents of the bill in long form;
 - (b) Recommending that the bill be recommitted to the same committee for the purpose of holding a public hearing thereon after satisfaction of the notice requirements set forth in paragraph (1) above; and
 - (c) Without recommendation for passage on any reading of the bill.
- (5) Upon the request of a chair of a standing committee, the Speaker may authorize the chair and the members of the standing committee to conduct a community-based public hearing whenever appropriate and practicable, subject to notice as required in paragraph (1) above. "Community-based public hearing" means a hearing conducted by a standing committee outside the State Capitol building at a location within the community for the purpose of accommodating the public to be heard on the matter under consideration by the standing committee.

11.6. *Committee Decision-making.*

- (1) A quorum of the committee which shall be a majority of the committee membership shall be present for decision-making.
- (2) Committee decision-making shall be by a majority of the members present. Reporting a measure out of the committee shall require a favorable vote of not less than a majority of the members present at a meeting duly constituted with a quorum. Any member voting "with reservations" shall be deemed to be in favor of the recommendation.
- (3) The vice-chair of the committee, or the designee of the chair in the absence of the vice-chair, shall be the recorder of the record of the quorum and the votes.

In the case of a joint hearing, the vice-chair of the lead committee, or the designee of the lead committee chair in the absence of the vice-chair shall be the recorder of the record of the quorum and the votes of all the committees party to the public hearing, unless otherwise agreed to by the respective chairs. A member's vote on a measure shall be the same for all committees that the member may sit on.
- (4) Favorable action by the committee shall be conveyed in a committee report.
- (5) If a committee reports out a bill or resolution with proposed amendments that may affect the referral of that bill or resolution, the committee chair shall, within 24 hours, notify the Speaker.

11.7. *Standing Committee Reports.*

- (1) Standing committees shall report from time to time upon matters referred to them with such copies as may be designated by the Speaker. Such reports shall be printed by the House and be furnished to each member.
- (2) The reports shall state findings of facts and conclusions based thereon, together with a distinct recommendation as to the disposition of the matter.
- (3) A report recommending a measure for passage shall clearly state the legislative intent and purpose of the measure. The chair shall attest the action of the committee by signing the report on behalf of the committee. A record of the quorum present at the meeting and a record of the votes of the members of the committee on the bill or resolution as attested to by the recorder shall be attached to the report as a part thereof.
- (4) A report upon a measure shall state clearly the amendments, if any, proposed. If a substitute bill, for one or more bills referred to the committee, shall be reported, such substitute bill shall be consistent with the subject of the bill or bills referred to the committee. The report shall describe the disposition of the bill or bills referred.
- (5) All matters referred to and not reported upon by the standing committees shall be returned to the Chief Clerk at the close of the regular session in the even-numbered year.

Rule 12. **Standing Committees: Description**

Standing committees shall be created by resolution at the opening of the session, or as soon thereafter as possible, to serve during the legislative session. The standing committees therein shall be as follows:

- (1) Committee on Agriculture, whose scope shall be those programs relating to the Department of Agriculture, agriculture, aquaculture, crop and livestock production, food production and distribution, agricultural parks, animal welfare, invasive species, and other pertinent matters referred to it by the House.
- (2) Committee on Consumer Protection & Commerce, whose scope shall be those programs relating to consumer protection, the Department of Commerce and Consumer Affairs, the regulation of trade, business, professions, occupations, and utilities, the Residential Landlord-Tenant Code, condominiums, housing cooperatives, planned communities, insurance, financial institutions, broadband and cable communications and services, and other pertinent matters referred to it by the House.
- (3) Committee on Corrections, Military, and Veterans Affairs, whose scope shall be those programs related to adult corrections, rehabilitation, and correctional facilities and industries; and military facilities, activities, and veterans affairs; and other pertinent matters referred to it by the House.
- (4) Committee on Culture, Arts, & International Affairs, whose scope shall be those programs related to Hawaii's multi-cultural heritage and the State Foundation on Culture and the Arts; and international affairs, foreign policy issues, and international relations; and other pertinent matters referred to it by the House.
- (5) Committee on Economic Development, whose scope shall be those programs relating to private sector job creation, public-private business or investment partnerships or ventures, new industry development, planning for economic development and diversification, industrial and product promotion and financial and technical assistance to business for interstate and intrastate commerce, and other

pertinent matters referred to it by the House.

- (6) Committee on Education, whose scope shall be those programs relating to early childhood education, primary and secondary schools, continuing education, libraries, and other pertinent matters referred to it by the House.
- (7) Committee on Energy & Environmental Protection, whose scope shall be those programs relating to energy resources and the development of renewable and alternative energy resources, energy conservation; and the impact of various environmental components on the protection and health of human and wild animal populations and climate mitigation including actions to prevent or reduce the root cause of climate change; and other pertinent matters referred to it by the House.
- (8) Committee on Finance, whose scope shall be those programs relating to overall State financing policies, including taxation and other revenues, cash and debt management, statewide implementation of planning, programming, budgeting, and evaluation, and other pertinent matters referred to it by the House.
- (9) Committee on Government Reform, whose scope shall be those programs relating to ethics and the Ethics Code, procurement and the Procurement Code, and campaign spending, and other pertinent matters referred to it by the House.
- (10) Committee on Health, Human Services, & Homelessness, whose scope shall be those programs relating to general health, maternal and child care, dental health, medical and hospital services, mental health, hospitals, community health care facilities; and financial assistance, medical assistance, vocational rehabilitation, social welfare services, the general well-being of the state's elderly and youth; and juvenile correctional services and homeless services and sheltering; and other pertinent matters referred to it by the House.
- (11) Committee on Higher Education & Technology, whose scope shall be those programs relating to the University of Hawaii, the community colleges, and other institutions of post-secondary education, intercollegiate athletics, and the Waikiki Aquarium; and technology and cybersecurity; and other pertinent matters referred to it by the House.
- (12) Committee on Housing, whose scope shall be those programs relating to housing development financing, assistance for homebuyers and renters, affordable and rental housing, public housing, and other pertinent matters referred to it by the House.
- (13) Committee on Judiciary & Hawaiian Affairs, whose scope shall be those programs relating to the courts, crime prevention and control, penal code, criminal enforcement, prosecution, sentencing, disposition, and punishment, probation, parole, furlough, and other alternatives to incarceration, indigent legal representation and defense matters, civil law, firearms, weapons, judicial and legal questions, constitutional matters, the Attorney General, the Judiciary, individual rights, civil rights and liberties, and the Civil Rights Commission; and persons of Hawaiian ancestry, including programs administered by the Department of Hawaiian Home Lands and the Office of Hawaiian Affairs; and other pertinent matters referred to it by the House.
- (14) Committee on Labor & Tourism, whose scope shall be those programs relating to employment, government operations and efficiency, employee pay and benefits, employee recruitment, classification and training, career development, employee performance, employment conditions, standards of conduct for employers and employees, collective bargaining in public employment, the civil service system, workers' compensation, unemployment compensation, temporary disability insurance, prepaid health care, employment opportunities, and labor-management relations in the private sector; and tourism, including the Hawaii Convention Center, Hawaii Visitors and Convention Bureau, and the Hawaii Tourism Authority; and other pertinent matters referred to it by the House.
- (15) Committee on Legislative Management, whose scope shall be those programs relating to the administrative operations and legislative services of the House, including the Legislative Reference Bureau, Legislative Auditor, Office of the Ombudsman, Public Access Room, the Hawaii State General Plan, and other pertinent matters referred to it by the House.
- (16) Committee on Pandemic & Disaster Preparedness, whose scope shall be those programs relating to communicable diseases and prevention, preparation, response, and recovery from civilian emergencies and disasters, and the safety, welfare, and defense of the State and its people, and other pertinent matters referred to it by the House.
- (17) Committee on Transportation, whose scope shall be those programs relating to the development and maintenance of air, water, and ground transportation, infrastructure, and facilities, and other pertinent matters referred to it by the House.
- (18) Committee on Water & Land, whose scope shall be those programs relating to global warming, changing weather patterns, climate adaptation to the actual or expected impacts of climate change; and land and water resource administration and use, coastal lands, the Land Use Commission, county land use planning and zoning, the Hawaii Community Development Authority, infrastructure development, outdoor recreation, drinking water and brackish waters, small boat harbors and their infrastructure, State parks, historic sites development and protection, ocean activities and outdoor marine matters, the Coastal Zone Management Act; and other pertinent matters referred to it by the House.

Rule 13. Standing Committees: General Responsibility; Special Responsibility

13.1. *Standing Committees: General Responsibility.* It shall be the duty of each standing committee to:

- (1) Consider all bills, petitions, and resolutions as may properly come before it;
- (2) Review those portions of the State's program and financial plan and variance reports as may relate to programs over which the committee has primary responsibility. Through informational briefings, it shall gather information and examine those portions of the executive budget and the General and Supplemental Appropriations Bills relating to such programs and recommend to the Committee on Finance the programs and amounts to be spent thereon. (The executive budget and the General and Supplemental Appropriations Bills are hereinafter collectively referred to as the "State budget.") The recommended programs and amounts, taken as a whole, shall be consistent with and within the expenditure amounts allocated by the Committee on Finance;
- (3) Determine the objectives of any bill referred to it and make appropriate recommendations, including, if proper, expenditure recommendations on other bills referred to it by the House. Such expenditure recommendations shall be consistent with the allocations established by the Committee on Finance. On bills which relate to programs and matters over which a standing committee to which

they are referred has no primary responsibility, the standing committee shall propose no substantive change to the bill unless prior concurrence of the chair of the committee which has the primary responsibility is first obtained. If the chair of the standing committee, which has primary responsibility over programs and matters of a bill, does not concur with the substantive change to the bill affecting such programs and matters sought to be proposed by a standing committee, any of the chairs of the standing committees involved may submit the matter to the Speaker for resolution. The Speaker shall meet with the chairs of the standing committees involved, hear their differences, and settle their differences with a decision which shall be the final disposition of the matter; and

- (4) Review how programs over which it has primary responsibility have been carried out in compliance with legislative direction and whether studies, analysis, and audit should be conducted on all or part of the program in order to define issues and recommend improvements. Each standing committee shall also recommend amendments to existing appropriation acts and may further recommend revenue measures and improvements to the State's planning, programming, budgeting, and evaluation system to the Committee on Finance.

13.2. Committee on Finance: Special Responsibility. The Committee on Finance shall:

- (1) Have final responsibility over all programs and matters relating to the State's financing policies, including taxation and other revenues, level of expenditures, cash and debt management, and to the statewide implementation of planning, programming, budgeting, and evaluation. Subject to the provisions of these Rules, it shall consider the reports of the fiscal officers of the State, all bills, petitions, and resolutions, those portions of the State budget, and all other items pertaining to such programs and matters. It shall also consider such other pertinent items as may be referred to it by the House;
- (2) Establish, within the revenue raising ability of the State, the general level of total governmental expenditures for each fiscal year of a biennial period and allocate to each standing committee a proportionate part of such expenditures. Each standing committee shall be responsible for budget review of the programs within its jurisdiction and for making program expenditure recommendations to the Committee on Finance. Upon receipt of the recommendations of the other standing committees, the Committee on Finance shall review the same to determine if, when taken as a whole, the programs and amounts to be expended thereon are consistent with and within the expenditure amounts it has allocated to the respective standing committees. In making allocations to and in reviewing recommendations, the Committee on Finance shall invite the participation of the chair of the standing committee having primary responsibility over the program. After review of all standing committee recommendations, the Committee on Finance shall be responsible for preparing the General and Supplemental Appropriations Bills for consideration by the House; and
- (3) In all other appropriation bills, inform the standing committee primarily responsible for the program or matter under consideration, of the amount and type of finances available. Upon receiving recommendations for the expenditures from the appropriate standing committee, the Committee on Finance shall review such recommendations to determine if, when taken as a whole, the recommendations are consistent with and within the expenditure amounts allocated. In reviewing recommendations of the standing committees, the Committee on Finance shall invite the participation of the standing committee chair concerned.

13.3. Committee on Legislative Management: Special Responsibility. The Committee on Legislative Management shall:

- (1) Make recommendations to the Speaker on the procedures and manner in which the administrative operations of the House should be conducted;
- (2) Make recommendations to the Committee on Finance on the expenses to be included in the appropriation bills providing for the expenses of the Legislature and procedures to ensure that the expenses of the House are in accordance with the appropriation acts providing therefor; and
- (3) Make recommendations to the Speaker on programs relating to the establishment and operations of the House staff.

Rule 14. Special Committee

- 14.1.** The Speaker may appoint special committees for special or temporary purposes to consider and report on such special or temporary matters referred to it.
- 14.2.** Special committees shall consist of not less than three members each, unless otherwise ordered by the House, to serve until discharged or until finally reporting on such matters referred to them.
- 14.3.** Meetings of special committees shall be conducted in the same manner as provided for standing committees.
- 14.4.** Special committees shall report upon matters referred to them within the time prescribed under the appointment of the special committees, unless further time is given by vote of the House.

Rule 15. Committee of the Whole

- 15.1.** Whenever any matter shall be referred to the entire membership of the House by adoption of a motion to that effect, the House may at any time thereafter resolve itself into a Committee of the Whole to be chaired by the Speaker.
- 15.2.** The Chief Clerk of the House shall act as Clerk of the Committee of the Whole, without extra compensation, and shall make a careful record of the proceedings which shall be filed as one of the records of the House.
- 15.3.** The committee may, on motion, rise and ask leave to sit at any future time. The rules of procedure in the House shall be observed, except as follows:
 - (1) Any member may speak more than once on the same subject, provided that the member shall not speak a second time or further until others desiring to speak have had an opportunity; and
 - (2) The motion for the "previous question" shall not be allowed.

Rule 16. Conference Committee

- 16.1.** Conference committees shall consist of not less than three members each unless otherwise ordered by the House to be appointed for the purpose of resolving differences between the House and the Senate on any matters where the joint agreement of the House and the Senate is required and shall serve until discharged or until finally reporting on the matter referred to it.
- 16.2.** The composition of the conference committee shall be as follows:
- (1) The chair of the standing committee having primary responsibility of the subject matter to be resolved shall be the chair of the conference committee on the part of the House. In the absence of the chair of the conference committee, a designee of the chair shall serve as chair;
 - (2) The membership of a conference committee shall be on a proportional basis. In appointing the minority party members, the Speaker shall consult with the minority leadership of the House.

The Speaker shall appoint the members of a conference committee as the Speaker and the chair of such standing committee having primary responsibility of the subject matter shall so mutually agree; and
 - (3) In no event shall the membership of the conference committee include any member who has voted in the negative on adoption of a substantive resolution or has voted in the negative on third reading of a bill which is the subject of the conference committee.
- 16.3.** The chair of the Committee on Finance shall be designated the chair of the conference committee on the General and Supplemental Appropriations Bills. The chair shall invite the participation of the chair of the standing committee having primary responsibility over the program or matter, as described in Part III of these Rules, to which the appropriation relates. After review, the chair of the conference committee shall be responsible for preparing the budgets for consideration by the House.
- 16.4.** The meetings of the conference committee shall be conducted as agreed upon by the members of the conference committee, subject to the provisions of Rule 16.5. It is the position of the House that conference committee meetings and decision-making sessions shall be public. Public notice of the meetings shall be given. Public notice may be posted or announced on the House floor during the session day. Subsequent meetings may be announced during conference committee meetings.
- 16.5.** The authority of a conference committee shall be limited solely to resolving differences between the House and the Senate versions of a bill or resolution.

Accordingly, a conference committee shall not amend a bill or resolution by inserting into the bill or resolution any unrelated or new subject; provided that the restrictions in this Rule 16.5 shall not apply to the General and Supplemental Appropriations Bills; provided further that any increases to the salaries, pensions, or retirement benefits for any elected or appointed officer of the State or County shall be considered by separate bill other than the aforesaid Appropriations Bills or any bill ratifying collective bargaining agreements.

Rule 17. Interim Committee

- 17.1.** Interim committees may be established between regular sessions to accomplish specified objectives and work. The appointment of interim committees shall be completed by the Speaker as soon as practicable.
- 17.2.** The composition of interim committees shall be as follows:
- (1) The chair of the interim committee shall be the chair of the standing committee having primary responsibility, as defined by these Rules, over the program or matter to be considered by the interim committee; and
 - (2) The membership of the interim committee shall be on a proportional basis. In appointing the minority party members to the interim committee, the Speaker shall consult with the minority leadership of the House. The Speaker shall appoint the members of an interim committee as the Speaker and the chair of the interim committee shall so mutually agree.
- 17.3.** Interim committees may submit interim committee reports from time to time on matters referred to them. The reports shall state findings of facts and conclusions based thereon, together with such recommendations as to the disposal of the matter.

Rule 18. Committee on the Journal

- 18.1.** A Committee on the Journal shall be appointed to: prepare, compile, and bind the House Journal; enter into contracts for printing and any other acts necessary to accomplish the purpose of printing the Journal; and distribute the Journal to the members of the House at the next regular session.
- 18.2.** The Committee on the Journal shall consist of the Speaker, Vice Speaker, Majority Leader, Majority Floor Leader, Minority Leader, Minority Floor Leader, and the chair of the Committee on Legislative Management, whose duty it shall be to prepare, compile, and bind the House Journal, and who shall be authorized to make contracts with any printer, publisher, or bookbinder for the printing and binding of said Journal. The Chief Clerk of the House shall act as Clerk of the Committee on the Journal. The committee shall report from time to time to the House.
- 18.3.** The Committee on the Journal may correct certain errors in all proper cases, and shall correct any mere clerical errors in the compilation of the Journal, such as errors in orthography or the use of one word for another as "affect" for "effect," "previous" for "previously," and the like. No corrections other than such as are authorized by this Rule shall be made at anytime by the Clerk or the Clerk's assistants, unless upon order of the committee.

Rule 19. Advisory Committee on Rules and Procedure

The Speaker shall, prior to the convening of a legislative session in an odd-numbered year, establish an Advisory Committee on Rules and Procedure. The committee shall include at least one member from the minority party. The Advisory Committee on Rules and Procedure shall review these Rules and propose to the House such amendments as the committee deems appropriate.

Rule 20. Open Committee Meetings

Every committee authorized and/or established under Part III of these Rules shall be a committee of the House. Every meeting of a committee of the House or of a committee composed of a member or members from the House and the Senate held for the purpose of making decisions on matters referred to the committee shall be open to the public; provided that certain kinds of meetings, including executive sessions, organizational meetings, partisan caucuses, and meetings the subject of which involves the invasion of a person's right to privacy if made public, need not be open to the public.

Every meeting of a special committee, interim committee, or the Advisory Committee on Rules and Procedure shall be noticed in the same manner as applicable to a standing committee.

PART IV. SESSIONS; ATTENDANCE**Rule 21. Meetings**

- 21.1. After the opening day of the Legislature, the House shall meet for the transaction of public business every day except Saturday, Sunday, any legal holiday, and any day in recess, and such other day as the House shall designate.
- 21.2. The House shall determine from time to time the normal hour of its meetings.
- 21.3. Each regular session shall be recessed for not less than five days at some period between the twentieth and fortieth days of the regular session. The House shall, by concurrent resolution, determine the dates of the mandatory recess. Any session may be recessed when a majority of the members of each house adopts a concurrent resolution for that purpose. When directed by a resolution adopted by the House, the Speaker shall consult with the President of the Senate to agree upon the time of a recess or recesses.

Rule 22. Quorum

- 22.1. A majority of the members to which the House is entitled constitutes a quorum, of which a majority vote shall suffice for the conduct of ordinary business unless otherwise provided in these Rules, but the final passage of a bill shall require the vote of a majority of all members to which the House is entitled.
- 22.2. A majority of less than a quorum may adjourn from day to day and compel the attendance of absent members.
- 22.3. If a quorum is not present at the designated time of meeting, the Speaker may declare the House adjourned.
- 22.4. The Speaker shall count the number of members present to determine whether there is a quorum.

Rule 23. Attendance

No member shall be absent from service to the House, unless the member is sick and is unable to attend or is excused by the Speaker.

Rule 24. Adjournments

- 24.1. Meetings of the House may be adjourned at any time by vote. Every adjournment shall be until the normal hour of meeting on the next business day, unless the motion for adjournment specifies otherwise.
- 24.2. A motion to adjourn is always in order and shall be decided without debate. However, one motion to adjourn shall not follow another without intervening business.
- 24.3. A motion to adjourn sine die or to adjourn to a specified time may be debated. No member shall speak more than once on such a motion.

Rule 25. Extension of Session

- 25.1. Two-thirds of the members to which the House is entitled, two-thirds of the Senate concurring, may petition the Speaker of the House and the President of the Senate to extend any session of the Legislature. The petition shall read:

"To the Speaker of the House of Representatives and the President of the Senate:

Your petitioners, members of the House of Representatives and of the Senate of the ___ Legislature of the State of Hawaii, respectfully request an extension of _____ days beyond the ____ day of the Regular Session of ____ of the ___ Legislature of the State of Hawaii."

- 25.2. The petition shall be in writing, above the signatures of the members.
- 25.3. When the Speaker of the House receives such a petition, and it is properly signed by two-thirds of the members to which each house is entitled, the Speaker and the President of the Senate shall jointly issue a proclamation extending the session for the number of days sought in the petition.

Rule 26. Special Sessions

- 26.1. Two-thirds of the members to which the House is entitled, two-thirds of the Senate concurring, may petition the Speaker of the House and the President of the Senate to call a special session of the Legislature. The petition shall read:

"To the Speaker of the House of Representatives and the President of the Senate:

Your petitioners, members of the House of Representatives and of the Senate of the ___ Legislature of the State of Hawaii, respectfully request the convening of a special session of ___, ___ Legislature of the State of Hawaii."

- 26.2. The petition shall be in writing, above the signatures of the members.
- 26.3. When the Speaker of the House receives such a petition, and it is properly signed by two-thirds of the members to which each house is entitled, the Speaker and the President of the Senate shall jointly issue a proclamation convening the Legislature in special session at the time and place sought in the petition.

PART V. ORDER; DECORUM

Rule 27. Questions of Order

Any member may raise a question of order at any stage in the proceedings of the House, except during a roll call vote. The Speaker shall decide questions of order without debate, subject to an appeal of the House. Laying an appeal on the table shall sustain the Speaker's ruling.

Rule 28. Decorum: Punishment for Violations

- 28.1. No person shall sit at the desk of the Speaker or Chief Clerk, except by permission of the Speaker.
- 28.2. No person shall walk out of the House Chamber or across the floor of the House while the Speaker is addressing the House. No person shall maintain a private discourse while the Speaker is addressing the House or a member is speaking. No person shall walk between the Speaker and a member who is speaking.
- 28.3. A question concerning conduct of the Speaker or members should not be presented by way of debate on other matters. Allusions to, or critical reference to the Speaker or members are not in good order. Such attacks are not conducive to the good order of the House.
- 28.4. The Speaker shall order any member who conducts himself or herself in a disorderly manner during any session of the House to stay in his or her seat and be in order. The Speaker shall order the Sergeant-at-Arms to remove any member who persists in disorderly conduct from the House for the remainder of the day's session, unless the member who has been disorderly pledges to the House that he or she will maintain good behavior.
- 28.5. Any member who wishes to speak shall rise from his or her seat and address the Speaker, saying, "Mr. Speaker" or "Madam Speaker". When recognized, the member shall face the Speaker, and address the question under debate. All debate shall be addressed to the Speaker and not to the membership or an individual member.
- 28.6. A member referring to another member should avoid using the member's name or political party, rather identifying the member by district, seat, as the member who last spoke, or other similar manner.
- 28.7. It is not the person but the measure that is the subject of debate, and it is not allowable to arraign the motives of a member, but the nature or consequences of a measure may be condemned in strong terms.
- 28.8. The Speaker shall call to order any member who violates these Rules while in session, and the member shall then immediately sit down. The Speaker shall then decide the question of order without debate, subject to an appeal to the House. The Speaker may call for the sense of the House on any question of order.
- 28.9. A member who is called to order while speaking shall retain the floor while the question of order is decided. However, the member may not proceed with the matter under discussion until recognized by the Speaker to continue.
- 28.10. Any member may demand that the Chief Clerk take down the words or actions objected to when a member is called to order for words spoken or actions taken during debate, and may ask that they be read for the information of the House.
- 28.11. The House may censure its members for disorderly conduct or neglect of duty. The House may also suspend or expel a member by a two-thirds vote of the total membership of the House.
- 28.12. The House may establish an investigating committee pursuant to chapter 21, Legislative Hearings and Procedure, Hawaii Revised Statutes, for the purposes therein mentioned.
- 28.13. Cell phones, pagers and similar devices shall be kept in silent mode, and not be used, while on the floor of the House Chamber.

Rule 29. Disclosures and Punishment of Members

- 29.1. Each member shall file with the Ethics Commission of the State of Hawaii a disclosure of his or her private financial interests, as prescribed by law. Each member shall file with the Ethics Commission any change in his or her financial interests.
- 29.2. If a legislative matter which affects a member's interests arises before the member has made a disclosure to the Ethics Commission, the member shall orally disclose his or her interest to the House before voting. The member then shall immediately make the written disclosure required by law and these Rules.
- 29.3. In accordance with Rule 60.7, the Speaker shall appoint a Select Committee on Standards of Conduct to receive complaints and investigate any member for misconduct, disorderly conduct, neglect of duty, violation of chapter 84, Hawaii Revised Statutes, or violation of these Rules. The House may punish any member found guilty by such a committee by censure, suspension, or expulsion. Censure shall require the approval of a majority of the members to which the House is entitled. Suspension or expulsion shall require the approval of two-thirds of the members to which the House is entitled.

PART VI. ORDER OF BUSINESS**Rule 30. Order of Business: General; Order of the Day**

30.1. The daily order of business shall be:

- (1) Roll call;
- (2) Reading and approval of the Journal unless the House by motion dispenses with such reading;
- (3) Messages from the Governor;
- (4) Reports and communications from the heads of agencies; and
- (5) Bills, resolutions, and other matters received from the Senate to be placed on the calendar.

30.2. At the option of the Speaker, prior to the convening of any session, there shall be an invocation. Any invocation shall be limited to two minutes, and should not be used to proselytize, advance, or disparage any religion or point of view. Attendance at and participation in the invocation shall be voluntary for all persons.

30.3. The order of matters to be considered in the Order of the Day shall be:

- (1) Unfinished business upon which the House was engaged at the time of its last adjournment;
- (2) Reports of committees;
- (3) Petitions, memorials, and communications;
- (4) Second and third readings;
- (5) Introduction of bills and resolutions;
- (6) Any miscellaneous business on the Speaker's table; and
- (7) Announcements.

Rule 31. Order of Business: Special

The House may, by previous motion, direct that any matter be made a special order of business. Special orders shall take precedence over all business after the fourth order in the order of business. The House may also specify that special orders be taken up at a later specified point in the order of business.

Rule 32. Order of Business: Unfinished Business; Committee Reports and Messages

32.1. Any business which the House did not complete before its last adjournment shall have precedence in the Order of the Day. No motion or other business shall be received without special leave of the House until the unfinished business is disposed of.

32.2. Reports from conference committees and from the Committee on Legislative Management shall be in order at all times. Upon motion, messages or reports from the Governor or from the Senate may be received at any time, provided that without unanimous consent such messages or reports shall not be in order for discussion when received but shall be placed on the calendar as "Unfinished Business".

Rule 33. Order of Business: Questions of Priority

All questions relating to the priority of business shall be decided without debate.

PART VII. BILLS AND RESOLUTIONS**Rule 34. Form: Bills, Resolutions, and Amendments**

34.1. All bills and resolutions to be introduced shall be submitted in the form and in the number of copies designated by the Chief Clerk. Short form bills may be introduced. All bills and resolutions shall be dated and signed by the introducer in black ink.

34.2. Every bill introduced or reported out of any committee, which amends an existing section or subsection of the Hawaii Revised Statutes or Session Laws of Hawaii, shall set forth the section or subsection in full, and the matter to be deleted shall be enclosed in brackets and stricken, and any new matter added to the section or subsection shall be underscored. However, a bill need not conform to this rule if it is: (1) a Supplemental Appropriations Bill; or (2) a bill amending the intent and effect of which can be clearly identified and understood without repeating the entire section or subsection, in which case only the paragraphs, subparagraphs, clauses, or items to be amended need be set forth as the Speaker may allow. The Speaker may allow additional exceptions to this rule.

34.3. No floor amendment to a bill shall be voted upon unless a copy of such amendment shall have been presented to the Chief Clerk who shall prepare and distribute copies of the amendment to each member of the House present.

34.4. The House shall, in concurrence with the Senate, provide for the date by which all bills to be considered in a regular session shall be introduced. This date shall precede the commencement of the mandatory recess provided for by Article III, Section 10 of the Constitution of the State of Hawaii.

Rule 35. Bills: First Reading

The first reading of a bill shall be of its title only.

Rule 36. Bills: Second Reading

On second reading, a bill may be read by title only, or, on motion, read throughout. It shall then be subject to a motion for referral to a committee. If it is referred to the Committee of the Whole instead of a special or standing committee, the chair of the Committee of the Whole shall set a day for its consideration. When a bill is reported by a standing committee, special committee, or the Committee of the Whole, and has passed second reading, it shall take its place in the order of business for future consideration.

Rule 37. Bills: Third or Final Reading

- 37.1. No bill shall pass third or final reading in the House unless printed copies of the bill in the form to be passed have been made available to the members of the House for at least 48 hours. "Form to be passed" means the form in which a bill is to be either: (i) passed on third reading in the House; (ii) concurred to by the House after amendments have been made by the Senate; or (iii) passed by the House after a conference committee has agreed upon it.
- 37.2. A bill on its third or final reading may be read by its title only and the Speaker shall then ask the House, "Shall this bill pass its third reading?" or "Shall this bill pass its final reading?" as the case may be. Such bill may be amended on its third reading. For the final passage of any bill, the Ayes and Noes shall be called or a vote shall be taken pursuant to Rule 51.3 and such passage shall require the affirmative vote of a majority of all members to which the House is entitled. The vote upon third reading shall be upon a motion that the bill pass third reading, rather than upon adoption of a committee report, so that amendments to the bill may be offered at third reading and voted upon.
- 37.3. The House shall not concur with substantive amendments made by the Senate to a House bill until the chair of the standing committee having primary responsibility for the subject matter contained in the bill has granted prior concurrence to such amendments as provided for under Rule 13.1.

Rule 38. Bills: Recall from Committee

- 38.1. Any bill that has been referred to a committee may be recalled from that committee 20 days after referral, if one-third of the members to which the House is entitled vote in favor of the recall.
- 38.2. No parliamentary rule or procedure may supersede the constitutional right of recall of a bill from committee.

Rule 39. Bills: Certification

- 39.1. When the House passes a bill, the Speaker and the Chief Clerk shall certify it and note the day of its passage at the bottom of the last page of the bill.
- 39.2. When a bill introduced in the House passes third reading in the House, the Speaker and the Chief Clerk shall immediately send it to the Senate. Likewise, they shall send to the Senate any bill which the House receives from the Senate, amends, and passes on third reading in the House. Likewise, they shall send to the Senate any bill introduced in the Senate in the first regular session of a Legislature which passes third reading in the House in the second regular session of the same Legislature.

Rule 40. Bills and Resolutions: Order of Consideration

- 40.1. The Chief Clerk shall send bills that have passed first reading to be printed immediately. When they have been printed and circulated to the members of the House, the Speaker shall refer them to the various committees. When the committees have considered them and reported on them, the committees shall return them to the Chief Clerk, and the Chief Clerk shall place them in the second reading file. The House shall consider them in the order in which they appear in the second reading file.
- 40.2. The Chief Clerk shall arrange bills that have passed second reading in the order of their passage on second reading, regardless of the date of their referral to committee or the date of the committee report on them. The Chief Clerk shall place them in the third reading file in the order in which they passed second reading, and the House shall consider them on third reading in that same order. However, if the third reading of a bill is set for some particular date, that bill shall be removed from the third reading file.
- 40.3. The Chief Clerk shall send all resolutions, except congratulatory resolutions, to be printed. When they have been printed and circulated among the members of the House, they shall be placed on the calendar for adoption, unless the House orders otherwise.
- 40.4. Resolutions shall either be considered at a stated date or be referred to a committee.

Rule 41. Bills and Other Matters: Special Order of Consideration

- 41.1. The Chief Clerk shall place all bills and other matters which are to be considered on particular dates in a special file, in the order of dates assigned for their consideration, and the House shall consider them in that order.
- 41.2. If the House adjourns before disposing of matters on special order, those matters shall carry over to the next day's business. The House shall then consider them under "Unfinished Business" in the Order of the Day, unless the House orders otherwise.

Rule 42. Bills: Property of the House

All bills introduced in the House shall be the property of the House.

Rule 43. Bills: Carryover Bills

- 43.1. Any bill pending at the final adjournment of a regular session in an odd-numbered year shall carry over with the same status to the next regular session; provided that if such bill shall have passed third reading in the House in an odd-numbered session, it shall again be placed in the third reading file and pass at least one reading in the House in the next regular session upon its return to the House from the Senate.
- 43.2. Bills which carry over from a regular session in an odd-numbered year to the next regular session shall retain the numbers assigned to them. The Chief Clerk shall keep a record of the status of all bills in possession of the House at the end of the session in odd-numbered years and shall publish the record of the status of all such bills prior to the convening of the next regular session.

Rule 44. Bills: Pre-Filing

The Chief Clerk shall accept bills to be pre-filed within seven calendar days before the commencement of the regular session in the even-numbered year.

Rule 45. Bills: Corrections of Errors

When a bill has passed the House and the Senate and an error in the bill is discovered prior to its having received approval of the Governor, the bill may be returned by concurrent resolution in the house last considering the bill for proper correction.

PART VIII. PETITIONS AND COMMUNICATIONS**Rule 46. Petitions and Communications: Presentation and Disposition**

- 46.1. Any person may petition the House. Petitions shall be in writing, and the petitioners shall sign them.
- 46.2. The Speaker shall order all petitions and communications filed or referred to a committee without any motion or vote, unless there is objection from the members. If there is objection, the Speaker shall dispose of the matter as the House directs.
- 46.3. Upon the request of a member, the Speaker may authorize the issuance of congratulatory certificates in the name of the House.

PART IX. MOTIONS; DEBATE**Rule 47. Motions: Generally**

- 47.1. No motion shall be received and considered by the House until the same shall have been seconded.
- 47.2. After a motion is stated and determined to be in order by the Speaker, it shall be disposed of by vote of the House. However, the motion may be withdrawn by the movant at any time before a decision or amendment.
- 47.3. Whenever any question whatsoever shall be under discussion, the only permanent motions shall be:
- | | |
|---------|--------------------------------|
| First: | To lay on the table; |
| Second: | To postpone to a certain time; |
| Third: | To commit; |
| Fourth: | To amend; and |
| Fifth: | To postpone indefinitely; |
- which motions shall have precedence in the order named.
- 47.4. The first two motions shall be decided without debate and shall be put as soon as made.
- 47.5. Whenever any of the first four motions mentioned above shall be decided in the negative, it shall not be revived the same day in regard to the main question under discussion. If a motion to amend in a specific manner is defeated, it shall not be revived on the same day.

Rule 48. Indefinite Postponement

When a question is postponed indefinitely, the same shall not be acted upon again during the regular or special session in which it was introduced without the consent of two-thirds of the members to which the House is entitled.

Rule 49. Matters Tabled

When a question has been laid on the table, it shall not thereafter be taken from and be considered or restored to a place upon the calendar of the House without the consent of the majority upon a motion made on the day the question was tabled or on the next day that the House is in session; thereafter, no motion to take any question from the table shall be made without the consent, in writing, of the majority. A motion to take any question from the table, if decided in the negative, may not again be made on the same day.

Rule 50. Motions: Previous Question

The purpose of the motion for the previous question is to end debate. The motion shall always be in order, except as otherwise provided herein. It shall require a majority vote of the members present in the House at the time the motion is made. Whenever the motion is carried, the movant of the main subject under discussion shall be permitted to close the debate, after which the main question, subject to the order of priority, shall be put; provided that the movant may delegate the right to close to another member.

Rule 51. Motions: Reconsideration

- 51.1. When a motion has been made once and carried in the affirmative or negative, it shall not be in order for any member who voted in the minority to move for reconsideration, but any member who voted with the majority may move to reconsider it on the same or succeeding day of the session. A motion to reconsider shall take precedence over all other questions except a motion to adjourn.
- 51.2. The House shall not reconsider a motion to reconsider.
- 51.3. If the House wishes to reconsider a measure or other matter which it already has passed or adopted and sent to the Senate, the motion to reconsider shall be accompanied by a motion to request the Senate to return the measure or other matter. The House shall act first on the motion for return of the measure or other matter, without debate. If this motion fails, it is an end of the matter, and the movant and seconder of the motion to reconsider shall withdraw their motion.

Rule 52. Debate: Limits

- 52.1. No member shall speak more than twice on the same question without leave of the House; provided, however, that the movant of the matter pending shall be permitted to speak in reply, but not until every member choosing to speak shall have spoken. No member shall speak longer than five minutes the first time and three minutes the second time on the same question; provided however, that any member may yield his or her speaking time to another member.
- 52.2. When a member yields the floor to another member, the yielding member's time shall continue to run, except when such yielding shall be to allow a specific question to be asked and when in response to the specific question asked.

PART X. VOTING**Rule 53. Voting: Methods**

- 53.1. There shall be five methods of ascertaining the decision of the House on any matter: first, by voice vote; second, by raising of hands; third, by standing; fourth, by call of the roll of members, each of whose votes shall be recorded by the Chief Clerk; and fifth, by unanimous consent.
- 53.2. When the House is ready to vote on any question, the Speaker shall rise, state the question, and ask all those who wish to vote yes on the question say "aye" in a clear, loud voice. The Speaker then shall ask all those who wish to vote no on the question say "no" likewise. The Speaker shall announce the decision of the House after the Chief Clerk has announced the result of the voting of the House, except that the Chief Clerk shall not announce the decision of the House after a voice vote.
- 53.3. With the unanimous consent of the House, the Speaker may direct the Chief Clerk to record an aye for each member of the House. If there is no objection, the Chief Clerk shall so record the vote. If there is objection, the Speaker shall ask for the names of the members voting no, and order the Chief Clerk to record no votes for them. A vote shall not be recorded for any member who is not present at the time the vote is taken.

Rule 54. Voting: Rights of Members; Restrictions

- 54.1. In case of a voice vote, if one-fifth of the members present doubt the result the Speaker announces, they may ask for a show of hands. The Speaker then shall state the question again and ask those who wish to vote yes on the question to raise their hands. The Chief Clerk then shall count the number voting yes and report the result to the Speaker. The Speaker then shall ask those who wish to vote no to raise their hands likewise. The Chief Clerk shall count the no votes and report the result to the Speaker. The Speaker then shall announce the result to the House.
- 54.2. In case of a show of hands, if one-fifth of the members present doubt the result the Speaker announces, they may ask for a standing vote. The Speaker then shall state the question again, and ask those who wish to vote yes to stand up and remain standing until the Chief Clerk counts their votes and reports the result to the Speaker. The Speaker then shall ask those who wish to vote no to stand likewise. The Chief Clerk shall report the result to the Speaker and the Speaker shall announce it to the House.
- 54.3. Any time one-fifth of the members present request it, the Chief Clerk shall call the roll of members of the House to determine their vote on a question. Each member who wishes to vote yes on the question shall say "aye" in a loud, clear voice when his or her name is called by the Chief Clerk. Each member who wishes to vote no on the question shall say "no" likewise.
- 54.4. No member shall refrain from voting unless excused pursuant to Rule 60.6.
- 54.5. When voting is by roll call, no member may explain his or her vote, unless the House permits it by unanimous consent.
- 54.6. No member may vote or change his or her vote after the Speaker has announced the result of voting.
- 54.7. Any member who refuses (including the "kanalua" response) three times to vote when ordered to do so will be considered to have voted aye, and the Chief Clerk shall record an aye vote for the member.

PART XI. MISCELLANEOUS**Rule 55. Subpoena; Oaths; Witness Fees**

- 55.1. The Speaker, and every investigating committee under chapter 21, Hawaii Revised Statutes, may issue subpoenas requiring the attendance of witnesses or production of evidence in any matter before the House or its committees pursuant to chapter 21, Hawaii Revised Statutes.
- 55.2. Any member of the House may administer oaths to witnesses in any matter pending in the House or in any committee of the House.
- 55.3. Any witness subpoenaed to appear before the House or any of its committees shall receive the same witness fees and mileage allowances that the Circuit Courts of the State pay.

Rule 56. Public Information

The Speaker may admit to the House Chamber stenographers and members of the news media who wish to take down debates or report the proceedings of the House. The Speaker shall assign such persons places for observation and other facilities which will not interfere with the operations of the House.

Rule 57. Disposition of Records at Adjournment

Within ten days after the House adjourns sine die in even-numbered years, its committees shall deliver to the Chief Clerk all bills, resolutions, petitions, and any other papers referred to the committees, plus any evidence taken by the committees. If a committee fails to comply with this rule, the Chief Clerk shall report its failure to the Speaker.

Rule 58. House Administrative and Financial Manual

- 58.1. The House shall adopt an administrative and financial manual.
- 58.2. After adoption, any revision to the manual shall be presented to the House unless otherwise provided in the manual.

PART XII. AMENDMENT, SUSPENSION, AND INTERPRETATION OF RULES**Rule 59. Rules: Amendment**

These Rules shall not be altered unless the members of the House have received the 24 hour notice of the proposed change. The 24 hour period shall commence with the placement of a printed copy of the proposed amendment upon the desk of each member. Changes in these Rules shall be taken up as a special order. Any change in these Rules shall require the approval of majority of the members to which the House is entitled.

Rule 60. Rules: Suspension

These Rules may be suspended by the approval of majority of the members to which the House is entitled.

Rule 61. Parliamentary Practice

Mason's Manual of Legislative Procedure, 2010 Edition, is hereby designated as the adopted parliamentary authority of the House.

PART XIII. CODE OF LEGISLATIVE CONDUCT**Rule 62. Standards of Conduct**

- 62.1. Members should conduct themselves in a respectful manner befitting the office with which they as elected officials have been entrusted, respecting and complying with the law and acting at all times in a manner that promotes public confidence in the integrity of the House.
- 62.2. Members should not lend the prestige of public office to advance the private interests of themselves or others; nor should members convey or permit others to convey the impression that they are in a special position to unduly influence public business pending before them.
- 62.3. Members should treat their fellow House members, staff, and the general public with respect and courtesy, regardless of political or religious beliefs, age, race, ethnicity, sex, sexual orientation, gender identity or expression, or physical disability.
- 62.4. The legislative duties of members, as prescribed by law and these Rules, should take precedence over all of their other business or professional activities. Members should freely and willingly accept certain restrictions on their business activities and professional conduct that might be considered burdensome by an ordinary private citizen, and should perform the duties of elected office impartially and diligently. To the greatest extent reasonably possible, members should:
 - (1) Refrain from allowing family, social, business, or other relationships to unduly influence the member's legislative conduct or judgment;
 - (2) Refrain from showing bias or prejudice, including but not limited to bias or prejudice based on political or religious beliefs, age, race, ethnicity, sex, sexual orientation, gender identity or expression, or physical disability, in the performance of their official duties;
 - (3) Exercise patience, tolerance, and courtesy to all those with whom they deal with in an official capacity, and require staff and others subject to their direction and control to maintain similar standards of conduct, fidelity, and diligence inherent in public service;
 - (4) Exercise the power of appointment impartially and on the basis of merit, refraining from making unnecessary appointments and approving compensation of appointees beyond the fair value of services rendered;
 - (5) Afford to every person who wishes to participate in the legislative process the opportunity to be heard according to established procedures;
 - (6) Consider at all times whether their conduct would create in reasonable minds the perception that their ability to carry out legislative responsibilities with integrity and independence is either questionable or impaired;
 - (7) Manage their personal interests and obligations so as to minimize the number of votes in which they are in, or may reasonably be perceived to be in, potential conflict;
 - (8) Refrain from using, or permitting the use of, the privileges and prestige of their public office to derive undue personal, professional, or financial benefits for themselves, members of their family, or others with whom they maintain personal, business, or professional relationships;

- (9) Refrain from engaging in financial and business dealings that involve them in frequent transactions, or continuing business or professional relationships, with those persons likely to derive benefits from public financial matters either pending or already deliberated and voted upon by the House, to the extent that such conduct may reasonably be perceived as personal exploitation of their public office; and
 - (10) Refrain from membership in an organization that practices invidious discrimination and gives rise to perceptions that one's impartiality and ability to serve as a representative are unduly compromised.
- 62.5.** If the member has a conflict of interest in legislation, the member shall disclose to the presiding officer (the committee chair or the Speaker, depending on where the vote is taking place) the conflict of interest prior to voting on that legislation. For the purposes of this rule, a "conflict of interest" means that the legislation affects the member's direct personal, familial, or financial interest except if the member, or the member's relative, is part of a class of people affected by the legislation.
- 62.6.** If a member is uncertain as to whether a conflict of interest exists, the member may request a ruling from the presiding officer by giving notice and disclosing the direct financial interest to the presiding officer prior to voting. When making a determination in cases where a portion of a measure may place a member in a conflict of interest, the presiding officer shall give due consideration to the context of that portion as it relates to the overall purpose of the measure. If the presiding officer determines that a conflict exists, the presiding officer shall recognize the conflict and honor the member's request to be excused from discussion, debate, and voting.
- 62.7.** There shall be established a Select Committee on Standards of Conduct composed of three members of the majority party and three members of the minority party, who shall be appointed by the Speaker. The Committee shall investigate any member for misconduct, disorderly conduct, neglect of duty, violation of chapter 84, Hawaii Revised Statutes, or violation of these Rules. The Select Committee on Standards of Conduct shall operate in accordance with rules and procedures adopted by the House.
- 62.8.** Except as provided, a member shall not accept an honorarium related to the member's legislative role, duties, or responsibilities. For the purposes of this rule, an "honorarium" means compensation provided to a member for services rendered by the member under conditions for which there is no contractual or legal obligation by the recipient of the services to compensate the member. The following shall not be considered an honorarium:
- (1) Reasonable and verifiable expenses for the member's meals, travel, lodging, and for care of a child or dependent adult that are actually incurred;
 - (2) Permissible gifts under chapter 84, Hawaii Revised Statutes;
 - (3) Anything of value that is otherwise reported or reportable as a campaign donation or expenditure; or
 - (4) Any compensation if the member is requested to appear and/or speak on a topic or issue that is not related to the member's legislative role or duties.
- 62.9.** Even if permitted by Rule 60.8, a member may not accept an honorarium if the offering of the honorarium is made for the purpose of influencing the performance of a member's official duties.
- 62.10.** No member shall solicit any monetary campaign contribution from an employee over whom the member has authority to exercise direct control.
- "Direct control" means the authority to subject a person to an adverse employment action, including termination, reduction in compensation, demotion, or denial of a promotion.
- 62.11.** Nothing herein shall be construed to limit, approve, prohibit, or infringe upon the proper jurisdiction of the Ethics Commission.

HOUSE OF REPRESENTATIVES

RULES FOR THE SELECT COMMITTEE ON STANDARDS OF CONDUCT

STATE OF HAWAII
THE THIRTY-FIRST LEGISLATURE2021-2022

RULES FOR THE SELECT COMMITTEE ON STANDARDS OF CONDUCT

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Preface

The purpose of these rules is to enable the Select Committee on Standards of Conduct to properly perform the powers and duties vested in the Committee, including the conduct of hearings, in a fair and impartial manner, consistent with the protection of constitutional rights of persons called to testify at hearings and the preservation of public good.

PART 1. DEFINITIONS

1.1. Definitions. As used in these rules, unless a different meaning is clearly intended by the context:

"Adjudicatory review" means a proceeding undertaken by the Committee after a finding, on the basis of a preliminary inquiry, that there is substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred.

"Authorized membership" means the total number of members appointed to the Committee.

"Chair" includes the Chair appointed by the Speaker, or in the absence of the Chair, the Vice Chair appointed by the Speaker, or in the absence of both the Chair and Vice Chair, a member designated by the Chair.

"Committee" means the Select Committee on Standards of Conduct established under House Rule 60.7.

"Executive session" means a session at which only members, staff, witnesses, and counsel for a witness or witnesses are permitted to be present. Other individuals may be admitted to an executive session for a specified period or purpose on the motion of a member with the approval of the Chair and Vice Chair. An executive session may be convened by a two-thirds vote of the authorized membership.

"House" means the House of Representatives.

"Member" means a member of the Committee.

"Preliminary inquiry" means a proceeding undertaken by the Committee following the receipt of a complaint from a Representative about misconduct to determine whether there is substantial credible evidence that provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred.

"Quorum" means a majority of the authorized membership provided that, except for an adjudicatory hearing under Part 6 or the taking of a deposition under Part 7, one member shall constitute a quorum to hear testimony if all members have been given notice of the hearing and a member of the majority party and a member of the minority party have been designated by the Chair and Vice Chair respectively to be in attendance.

"Speaker" means the Speaker of the House of Representatives.

PART 2. GENERAL APPLICABILITY

2.1. Powers of the Speaker of the House. The Speaker shall have administrative authority over the activities and operations of the Committee to:

- (1) Assign appropriate staff and to direct appropriate services to assist the Committee in accomplishing its purpose;
- (2) Adjust the respective membership of the Committee as deemed necessary, including the filling of vacancies; and
- (3) In the absence of the Chair, sign hearing notices or subpoenas and subpoenas duces tecum, as authorized to be issued by the Committee.

2.2. Vacancies. Vacancies shall not affect the authority of the remaining members to execute the functions of the Committee.

2.3. Meetings. Meetings may be held at the call of the Chair if at least 48 hours notice is furnished to all members. If all members agree, or if approved by the Speaker, a meeting may be held on less than 48 hours notice.

2.4. Quorum. A quorum shall be present for the transaction of business involving complaints or allegations of, or information about, misconduct, including resulting preliminary inquiries, adjudicatory reviews, recommendations, and reports.

2.5. Order of Business. The order of business and the procedure of the Committee shall be decided by the Chair and Vice Chair.

2.6. Hearings Announcements. The Committee shall publicly announce the date, place, and subject matter of its hearing at least one week before the commencement of that hearing. If the Committee determines that there is good cause to commence a hearing at an earlier date, notice shall be given at the

earliest possible time.

2.7. Committee Meetings. Meetings of the Committee shall be open to the public unless the meeting is held in executive session.

2.8. Record of Testimony and Committee Action. (a) An accurate stenographic or transcribed electronic record shall be kept of all Committee proceedings, whether in executive or public session, which record shall include rulings of the Chair, questions of the Committee and its staff, the testimony or responses of witnesses, sworn written statements submitted to the Committee, any vote of the Committee, and such other matters as the Committee or the Chair may direct.

(b) The record of any remarks made by a member, Committee staff, outside counsel retained by the Committee, counsel for the witness, or witness, whether in public or executive session, shall be made available for inspection in accordance with Part 10 under Committee supervision at a time and place determined by the Chair; a copy of any testimony given by a witness in public session, or that part of the testimony given by the witness in executive session and subsequently quoted or made part of the record in a public session shall be made available to any witness if requested.

(c) Any member, Committee staff, outside counsel retained by the Committee, counsel for the witness, or witness may suggest to the official reporter, any corrections to typographical or transcription errors. If the reporter declines to make the requested corrections, the member, staff, outside counsel, counsel for the witness, or witness may request a ruling by the Chair and Vice Chair, acting jointly. Any questions arising with respect to the processing and correction of transcripts shall be decided by the Chair and Vice Chair, acting jointly.

(d) Except for the record of a hearing which is closed to the public, each transcript shall be printed as soon as is practicable after receipt of the corrected version. The Chair and Vice Chair, acting jointly, may order the transcript of a hearing to be printed without corrections if a reasonable time to correct the transcript has been afforded and corrections have not been requested.

(e) Records of the Committee shall be maintained by the Chief Clerk of the House.

2.9. Ineligibility or Disqualification of Members. (a) A member shall be ineligible to participate in any Committee proceeding that relates specifically to any of the following:

- (1) A preliminary inquiry or adjudicatory review relating to:
 - (i) The conduct of the member; or
 - (ii) Any complaint filed by the member against another Representative; and
- (2) The determinations and recommendations of the Committee with respect to any preliminary inquiry or adjudicatory review described in subparagraph (1).

A member may also be ineligible to participate if the member's staff will be a witness.

(b) If any Committee proceeding appears to relate to a member in a manner described in paragraph (a), the staff shall prepare a report to the Chair and Vice Chair. If either the Chair or the Vice Chair concludes from the report that it appears that the member may be ineligible to participate in a Committee proceeding, the member shall be notified in writing of the nature of the particular proceeding and the reason that it appears that the member may be ineligible to participate in it. If the member agrees to the ineligibility, the member shall notify the Chair or Vice Chair. If the member does not agree, the member may explain the reasons to the Chair and Vice Chair, and if they both agree that the member is eligible, the member shall continue to serve. But if either the Chair or Vice Chair continues to believe that the member is ineligible and the member disagrees, the matter shall be promptly referred to the Committee. The member shall present arguments to the Committee in executive session. Any contested questions concerning a member's eligibility shall be decided by a majority vote of the Committee, meeting in executive session, with the member in question not participating.

(c) Members may disqualify themselves from participating in any preliminary inquiry or adjudicatory review pending before the Committee and the determinations and recommendations of the Committee with respect to any such preliminary inquiry or adjudicatory review.

(d) Whenever any member is ineligible under paragraph (a) to participate in any preliminary inquiry or adjudicatory review, or is disqualified under paragraphs (b) and (c) from participating in any preliminary inquiry or adjudicatory review, another Representative shall be appointed by the Speaker, after written notice about the ineligibility or disqualification, to serve as a member solely for purposes of such preliminary inquiry or adjudicatory review and the determinations and recommendations of the Committee with respect to such preliminary inquiry or adjudicatory review. Any Representative appointed for such purposes shall be of the same party as the member who is ineligible or disqualified.

(e) The Speaker shall be given written notice of the ineligibility or disqualification of any member from any preliminary inquiry, adjudicatory review, or other proceeding requiring the appointment of another member in accordance with paragraph (d).

2.10. Television, Film, Radio. Public hearings or meetings may be televised, filmed, or otherwise recorded and made public, unless otherwise determined by a two-thirds vote of the authorized membership. Photographers and reporters using mechanical recording, filming, or broadcasting apparatus shall position their equipment so as not to interfere with the seating, vision, and hearing of the members and staff, or with the orderly process of the meeting or hearing.

2.11. Legislative Recommendations. The Committee shall recommend to the House by report or resolution any additional rules or other legislative measures as it determines to be necessary or desirable to ensure proper standards of conduct by Representatives. The Committee may conduct inquiries as it deems necessary to prepare this report or resolution, including the holding of hearings in public or executive session and the use of subpoenas as provided for in Part 3. The Committee may make legislative recommendations as a result of its findings in a preliminary inquiry, adjudicatory review, or other proceeding.

2.12. Educational Mandate. The Committee may develop and implement programs and materials designed to educate members about the laws, rules, and standards of conduct applicable to members in the performance of their duties.

2.13. Limitations. Nothing in these rules shall be construed to limit or prohibit the acquisition of evidence or information by the Committee through any lawful means.

PART 3. GENERAL PROCEDURES

3.1. Right to Hearing. The Committee shall give the Representative responding to the complaint or facing an adjudicatory review under Part 6 an opportunity for a hearing before it recommends disciplinary action against that Representative to the House or before it imposes an order of restitution or reprimand (not requiring discipline by the full House).

3.2. Closed Hearings. All hearings of the Committee relating to allegations of misconduct shall be closed to the public unless the Committee determines by a two-thirds vote of the authorized membership that a hearing should be public.

3.3. Adjudicatory Hearings. The Committee may, by a two-thirds vote of the authorized membership, designate any public hearing or executive session as an adjudicatory hearing. Any hearing which is concerned with possible disciplinary action against a respondent or respondents designated by the Committee shall be an adjudicatory hearing. In any adjudicatory hearing, the procedures described in Part 6 shall apply.

3.4. Presiding Officer. The Chair shall preside over hearings.

3.5. Subpoenas. (a) The Committee, with the concurrence of the Speaker, may issue, by a two-thirds vote of the authorized membership, subpoenas requiring the attendance of witnesses and subpoenas duces tecum requiring the production of books, documents, or other evidence, in any matter pending before the Committee.

(b) The form of subpoenas, the manner of service, witness service fees, and notice requirements shall be as provided in sections 21-8 and 21-9, Hawaii Revised Statutes.

(c) Every subpoena and subpoena duces tecum authorized to be issued by the Committee shall be issued under the signature of the Chair and shall command each person to whom it is directed to attend and give testimony at a time and place thereon specified, and if requested by the Committee, to produce the books, papers, documents, or tangible things required by the Committee to be produced.

(d) The Committee may delegate to the Chair the authority to specify the time and place at which the person subpoenaed is to attend and give testimony and to designate the books, papers, documents, or tangible things required by the Committee to be produced.

(e) The Committee, by a two-thirds vote of the authorized membership, may withdraw a subpoena issued on behalf of the Committee.

3.6. Depositions. Depositions shall be taken in accordance with Part 7.

3.7. Oath or Affirmation. (a) All testimony given or adduced at a hearing; preliminary inquiry under Part 5; or adjudicatory review or hearing under Part 6, shall be made under oath or affirmation unless the requirement is dispensed with in a particular instance by a majority of the members present at a hearing. Any member may administer an oath or affirmation to a witness at a hearing of the Committee.

(b) The form of the oath or affirmation shall be as follows: "Do you solemnly swear or affirm that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth?"

3.8. Witnesses. Any witness may be asked, or subpoenaed, to testify at a hearing or adjudicatory review and shall have the rights set forth under Part 8.

3.9. Right to Testify. Persons whose names are mentioned or who are specifically identified or otherwise referred to in testimony or in statements made by a member, staff, or outside counsel, or any witness, and who reasonably believe that a statement tends to adversely affect their reputation may:

- (1) Request to appear personally before the Committee to testify on their own behalf; or
- (2) File a sworn statement of facts relevant to the testimony or other evidence or statement complained of. Such requests and statements shall be submitted to the Committee for its consideration and action.

3.10. Committee Report; Opposing Views. Each member shall be given a reasonable opportunity to have separate views included as part of any Committee report.

PART 4. PROCEDURES FOR COMPLAINTS, ALLEGATIONS, OR INFORMATION

4.1. Complaint, Allegation, or Information. Any Representative may report to the Committee a sworn complaint alleging that a Representative has violated a law, the House Code of Legislative Conduct, or any rule of the House relating to conduct of any individual in the performance of duties as a Representative, or has engaged in improper conduct which may reflect negatively upon the House. Complaints may be reported to the Chair, the Vice Chair, or a member.

Complaints shall not be accepted by the Committee during an election year on, or after, the filing deadline until one day after the general election. During this time, the Speaker shall accept complaints, allegations, or information and determine the action to be taken.

4.2. Form and Content of Complaints. A complaint shall be sworn but need not be in any particular form to receive Committee consideration, but shall:

- (1) State the name of the party filing the complaint;
- (2) Provide the name of each Representative who is specifically alleged to have engaged in improper conduct or committed a violation; and
- (3) State the nature of the alleged improper conduct or violation and may supply documents in the possession of the party filing the complaint relevant to or in support of the allegations as an attachment to the complaint.

For the purposes of this Rule, a "sworn complaint" means a written statement of facts, submitted under penalty of perjury, alleging a violation of law, the Code of Legislative Conduct, or any other Rule relating to the conduct of individuals in the performance of their duties as Representatives.

PART 5. PROCEDURES FOR CONDUCTING A PRELIMINARY INQUIRY

5.1. Basis for Preliminary Inquiry. The Committee shall promptly commence a preliminary inquiry whenever it has received a sworn complaint from a Representative about alleged misconduct or violations by a Representative pursuant to Part 4; provided that the Chair and Vice Chair, acting jointly on behalf of the Committee may dismiss any matter, which is determined to lack substantial merit.

5.2. Scope of Preliminary Inquiry. (a) The preliminary inquiry shall be of a duration and scope necessary to determine whether there is substantial credible evidence, which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred. The Chair and Vice Chair, acting jointly, on behalf of the Committee may supervise and determine the appropriate duration, scope, and conduct of a preliminary inquiry. Whether a preliminary inquiry is conducted jointly by the Chair and Vice Chair or by the Committee as a whole, the day-to-day supervision of a preliminary inquiry rests with the Chair and Vice Chair, acting jointly.

(b) A preliminary inquiry may include any inquiries, interviews, sworn statements, depositions, or subpoenas deemed appropriate to obtain information to make any determination provided for by these rules.

5.3. Opportunity for Response. A preliminary inquiry shall include an opportunity for the Representative against whom the complaint is being brought or the Representative's designated representative to present either a written statement, or to respond orally to questions from the Committee. Oral statements or answers shall be transcribed and signed by the person providing the statement or answers.

5.4. Final Report. When the preliminary inquiry is completed, the Chair and Vice Chair shall make a report, oral or written, to the Committee on findings and recommendations, as appropriate. Disclosure of this report shall be governed by rules provided under Part 10.

5.5. Committee Action. As soon as practicable following submission of the report by the Chair and Vice Chair on the preliminary inquiry, the Committee shall determine by a recorded vote of a majority of members to which the Committee is entitled whether there is substantial credible evidence which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred. The Committee may make any of the following determinations:

- (1) That there is not substantial credible evidence and in this case the Committee shall dismiss the matter. The Committee shall inform the complainant and the respondent to the complaint of the dismissal;
- (2) That there is substantial credible evidence, but that the alleged violation is inadvertent, technical, or otherwise of a de minimis nature. In this case, the Committee may dispose of the matter by issuing a public or private letter of admonition, which shall not be considered discipline and which shall not be subject to appeal to the House. The issuance of a letter of admonition shall be approved by the affirmative recorded vote of not less two-thirds of the authorized membership; and
- (3) That there is substantial credible evidence and that the matter cannot be appropriately disposed of under paragraph (2). In this case, the Committee shall promptly initiate an adjudicatory review in accordance with Part 6. No adjudicatory review of the conduct of a Representative may be initiated except by the affirmative recorded vote of not less than two-thirds of the authorized membership.

PART 6. PROCEDURES FOR CONDUCTING AN ADJUDICATORY REVIEW AND ADJUDICATORY HEARING

6.1. Scope of Adjudicatory Review. When the Committee decides to conduct an adjudicatory review, it shall be of a duration and scope necessary for the Committee to determine whether a violation within its jurisdiction has occurred. An adjudicatory review shall be conducted by the Committee unless the Committee determines to use outside counsel for this purpose. In the course of the adjudicatory review, the Committee may conduct any inquiries, interviews, or hearings, take sworn statements, use its subpoena powers, take depositions, or take any other actions that the Committee deems appropriate to secure the evidence necessary to make a determination.

6.2. Notice to Respondent. The Committee shall give written notice to the Representative who is the subject of an adjudicatory review. The notice shall be sent to the Representative against whom the complaint has been made no later than five working days after the Committee has voted to conduct an adjudicatory review. The notice shall include a statement of the nature of the possible violation and description of the evidence indicating that a possible violation occurred. The Committee may offer the Representative an opportunity to present a statement, orally or in writing, or to respond to questions from members, or outside counsel, if such counsel has been retained by the Committee.

6.3. Final Report of Adjudicatory Review to Committee. Upon completion of an adjudicatory review, the Chair and Vice Chair shall submit a written report to the Committee, which shall detail the factual findings of the adjudicatory review and which may recommend disciplinary action, if appropriate. Findings of fact of the adjudicatory review shall be detailed in this report whether or not disciplinary action is recommended. Disclosure of this report shall be governed by rules provided under Part 10.

6.4. Committee Action. (a) As soon as practicable following submission of the report of the Chair and Vice Chair on the adjudicatory review, the Committee shall prepare and submit a report to the House, including a recommendation to the House concerning disciplinary action, if appropriate. A report shall be issued, stating in detail the Committee's findings of fact, whether or not disciplinary action is recommended. The report shall also explain fully the reasons underlying the Committee's recommendation concerning disciplinary action, if any. No adjudicatory review of conduct may be conducted, or report or recommendation relating to an adjudicatory review of conduct may be made, except by the affirmative recorded vote of not less than two-thirds of the authorized membership.

(b) After receipt of the report prescribed by Rule 6.3, the Committee, by a recorded vote of not less than two-thirds of the authorized membership, may make recommendations for disciplinary action or issue an order for reprimand or restitution, as follows:

- (1) A recommendation to the House for expulsion, censure, payment of restitution, recommendation to the Speaker regarding the Representative's positions of responsibility and committee assignments, or a combination of these;
- (2) In the case where the Committee determines, after according due notice and opportunity for a hearing, that misconduct occurred warranting discipline less serious than discipline by the full House, and subject to Rule 6.5 relating to appeal, by a unanimous vote of six members order that a Representative be reprimanded or pay restitution or both; and

- (3) In the case where the Committee determines that misconduct is inadvertent, technical, or otherwise of a de minimis nature, issuance of a public or private letter of admonition to a Representative, which shall not be subject to appeal to the House.

(c) In the case where the Committee determines, upon consideration of all the evidence, that the facts do not warrant a finding that there is substantial credible evidence which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred, the Committee may dismiss the matter.

(d) Promptly after the conclusion of the adjudicatory review, the Committee report and recommendation, if any, shall be forwarded to the Chief Clerk of the House, and a copy shall be provided to the Representative bringing the complaint and the Representative responding to the complaint.

6.5. Right of Appeal. (a) Any individual who is the subject of a reprimand or order of restitution, or both, pursuant to Rule 6.4 (b)(2), may, within ten days of the Committee's report to the House of its action imposing a reprimand or order of restitution, or both, appeal to the House by providing written notice of the appeal to the Committee and the Speaker. The Speaker shall cause the notice of the appeal to be printed in the House Journal.

(b) A motion to proceed to consideration of an appeal pursuant to paragraph (a) shall be highly privileged and not debatable. If the motion to proceed to consideration of the appeal is agreed to, the appeal shall be decided on the basis of the Committee's report to the House. Debate on the appeal shall be limited to two hours, which shall be divided equally between those favoring and those opposing the appeal.

6.6. Adjudicatory Hearings; Notice. A copy of the public announcement of an adjudicatory hearing shall be furnished together with a copy of this Part to all witnesses at the time that they are subpoenaed or otherwise summoned to testify.

6.7. Adjudicatory Hearings; Preparation. (a) At least two working days prior to the commencement of an adjudicatory hearing, the Committee shall provide the following information and documents to the Representative responding to the complaint, if any:

- (i) A list of proposed witnesses to be called at the hearing;
- (ii) Copies of all documents expected to be introduced as exhibits at the hearing; and
- (iii) A brief statement as to the nature of the testimony expected to be given by each witness to be called at the hearing.

(b) At least two working days prior to the commencement of an adjudicatory hearing, the respondent, if any, shall provide the information and documents described in paragraph (a) to the Committee.

(c) At the discretion of the Committee, the information and documents to be exchanged under this Part shall be subject to an appropriate agreement limiting access and disclosure.

(d) If a Representative responding to the complaint refuses to provide the information and documents to the Committee (see paragraphs (a) and (b)), or if a responding Representative or other individual violates an agreement limiting access and disclosure, the Committee, by a two-thirds vote of the authorized membership, may recommend to the House that the offender be cited for contempt.

6.8. Adjudicatory Hearings; Right to Cross-Examine and Call Witnesses. (a) In adjudicatory hearings, respondents and any other persons upon obtaining the permission of the Committee, may personally or through counsel cross-examine witnesses called by the Committee and may call witnesses on their own behalf.

(b) A Representative responding to a complaint may apply to the Committee for the issuance of subpoenas for the appearance of witnesses or the production of documents on the Representative's behalf. An application shall be approved upon a concise showing by the responding Representative that the proposed testimony or evidence is relevant and appropriate, as determined by the Chair and Vice Chair. The subpoena shall be issued pursuant to Part 3.

(c) With respect to witnesses called by a responding Representative, or other individual given permission by the Committee, each witness shall first be examined by the party who called the witness or by that party's counsel.

6.9. Adjudicatory Hearing; Admissibility of Evidence. (a) The object of the hearing shall be to ascertain the truth. Any evidence that may be relevant and probative shall be admissible unless privileged under the Hawaii Rules of Evidence. Rules of evidence shall not be applied strictly, but the Chair shall exclude irrelevant or unduly repetitious testimony. Objections going only to the weight that should be given evidence will not justify its exclusion.

(b) The Chair shall rule upon any question of the admissibility of testimony or other evidence presented to the Committee. Rulings shall be final unless reversed or modified by a two-thirds vote of the authorized membership before the recess of that day's hearings.

(c) Notwithstanding paragraphs (a) and (b), in any matter before the Committee involving allegations of sexual discrimination, including sexual harassment, or sexual misconduct, by a Representative, the Committee shall be guided by the standards and procedures of Rule 412 of the Hawaii Rules of Evidence, except that the Committee may admit evidence subject to the provisions of this paragraph only by a two-thirds vote of the authorized membership that the interests of justice require that this evidence be admitted.

6.10. Adjudicatory Hearing; Supplementary Hearing Procedures. The Committee may adopt any additional special hearing procedures that it deems necessary, or appropriate to a particular adjudicatory hearing, copies of the supplementary procedures shall be furnished to witnesses and respondents, and shall be made available upon request to any member of the public.

PART 7. DEPOSITIONS

7.1. Persons Authorized to Take Depositions. Depositions may be taken by any member designated by the Chair and Vice Chair, acting jointly, or by any other person designated by the Chair and Vice Chair, acting jointly, including outside counsel, Committee staff, other employees of the House, or government employees assigned to the Committee.

7.2. Deposition Notices. Notices for the taking of depositions shall be authorized by the Chair and Vice Chair, acting jointly, and issued by the Chair, Vice Chair, or Committee staff or outside counsel designated by the Chair and Vice Chair, acting jointly. Depositions may be taken at any time during a preliminary inquiry, adjudicatory review or other proceeding. Deposition notices shall specify a time and place for examination. Unless otherwise specified, the deposition shall be in private, and the testimony taken and documents produced shall be deemed for the purpose of these Rules to have been received in an executive

session of the Committee. The Committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness's failure to appear, or to testify, or to produce documents, unless the deposition notice was accompanied by a subpoena.

7.3. Deposition Procedure. Witnesses at depositions shall be examined under oath. Questions may be propounded by any person or persons who are authorized to take depositions for the Committee, if a witness objects to a question and refuses to testify, or refuses to produce a document, the Chair or Vice Chair, if present, may rule on the objection and, if the objection is overruled, direct the witness to answer the question or produce the document. If the Chair or Vice Chair is not present, the individual who has been designated by the Chair and Vice Chair, acting jointly, to take the deposition may proceed with the deposition, or may, at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from the Chair or Vice Chair of the Committee, who may refer the matter to the Committee or rule on the objection, if the Chair or Vice Chair, or the Committee upon referral, overrules the objection, the Chair, Vice Chair, or the Committee as the case may be, may direct the witness to answer the question or produce the document, the Committee shall not initiate procedures leading to civil or criminal enforcement unless the witness refuses to testify or produce documents after having been directed to do so.

7.4. Filing of Depositions. Deposition testimony shall be transcribed or electronically recorded. If the deposition is transcribed, the individual administering the oath shall certify on the transcript that the witness was duly sworn in the presence of that individual and the transcriber shall certify that the transcript is a true record of the testimony. The transcript with these certificates shall be filed with the clerk of the Committee, and the witness shall be furnished with access to a copy at the Committee's offices for review. Upon inspecting the transcript, within a time limit set by the Chair and Vice Chair, acting jointly, a witness may request in writing changes in the transcript to correct errors in transcription. The witness may also bring to the attention of the Committee errors of fact in the witness's testimony by submitting a sworn statement about those facts with a request that it be attached to the transcript. The Chair and Vice Chair, acting jointly, may rule on the witness's request, and the changes or attachments allowed shall be certified by the Committee's clerk. If the witness fails to make any request under this paragraph within the time limit set, this fact shall be noted by the Committee's clerk. Any person authorized by the Committee may stipulate with the witness to changes in this procedure.

PART 8. RIGHTS OF WITNESSES

8.1. Television, Film, Radio. Any witness served with a subpoena by the Committee may request not to be photographed or to give evidence or testimony while the broadcasting, reproduction, or coverage of that hearing, by radio, television, still photography, or, other methods is occurring. At the request of any witness who does not wish to be subjected to radio, television, still photography, or other methods of coverage, and subject to the approval of the Committee, all lenses shall be covered and all microphones used for coverage turned off.

8.2. Right to Counsel. Every witness at a hearing, adjudicatory review, adjudicatory hearing, or deposition, may be accompanied by counsel of the witness' own choosing, who may advise the witness of the witness' rights, subject to reasonable limitations which the Committee may prescribe to prevent obstruction of or interference with the orderly conduct of the hearing.

8.3. Statements. (a) A witness, or the witness' counsel, with the consent of a majority of the members present at the hearing, may file with the Committee for incorporation into the record of the hearing, sworn written statements relevant to the purpose, subject matter, and scope of the Committee's investigation or inquiry. If a witness, or witness' counsel, desires to read the prepared or written statement, the determination of whether the statement may be read or simply placed in the record of the hearing shall be made by the Chair and Vice Chair, acting jointly.

(b) The witness or witness' counsel may also submit additional sworn testimony for the record within 24 hours after the last day that the witness has testified. The insertion of such testimony in that day's record is subject to the approval of the Chair and Vice Chair, acting jointly, within five days after the testimony is received.

8.4. Proposed Questions. A witness at a hearing, or the witness' counsel may submit to the Committee questions proposed to be asked of the witness or any other witness relevant to the matters upon which there has been any questioning or submission of evidence, and the Committee shall ask those questions that the Committee determines to be appropriate for the subject matter of the hearing. Questions shall be submitted to the Committee at least one working day before a witness's scheduled appearance.

8.5. Opening Statements. As far as practicable, each witness may be permitted to present a brief oral opening statement.

PART 9. VIOLATIONS OF LAW; CONTEMPT; PERJURY; AND APPLICABLE RULES AND STANDARDS OF CONDUCT

9.1. Violations of Law. Whenever the Committee determines by a two-thirds vote of the authorized membership that there is reason to believe that a violation of law, including the provision of false information to the Committee, may have occurred, it shall report the possible violation to the proper state and local authorities.

9.2. Contempt. (a) A person shall be in contempt if the person:

- (1) Fails or refuses to appear in compliance with a subpoena, or having appeared, fails or refuses to testify under oath or affirmation;
- (2) Fails or refuses to answer any relevant question or fails or refuses to furnish any relevant book, paper, or other document subpoenaed by or on behalf of the Committee; or
- (3) Commits any other act or offense against the Committee, which, if committed against the Legislature, or either House thereof, would constitute contempt.

(b) The Committee may, by a two-thirds vote of the authorized membership, report to the Speaker, any instance of alleged contempt. The Speaker shall certify the report of such contempt under the signature of the Speaker to the State Attorney General who shall prosecute the offender in any court of the State.

9.3. Perjury. Any person who knowingly and willfully swears falsely to a sworn complaint or any other sworn statement to the Committee does so under penalty of perjury. The Committee may refer any such case to the State Attorney General for prosecution.

9.4. Applicable Rules and Standards of Conduct. (a) Notwithstanding any other provision of this Part, no adjudicatory review shall be initiated for any alleged violation of any law, the House Code of Legislative Conduct, or Rule, which was not in effect at the time the alleged violation occurred. No provisions

of the House Code of Legislative Conduct shall apply to or require disclosure of any act, relationship, or transaction which occurred prior to the effective date of the applicable provision of the House Code of Legislative Conduct.

(b) The Committee may initiate an adjudicatory review of any alleged violation of a rule or law which was in effect prior to the enactment of the House Code of Legislative Conduct if the alleged violation occurred while such rule or law was in effect and the violation was not a matter resolved on the merits by the predecessor Committee.

PART 10. RULES OF DISCLOSURE

10.1. Non-Disclosure Policy. Except as provided in Rule 10.2, no Representative, member, staff, or any person engaged by contract or otherwise to perform services for the Committee shall release, divulge, publish, reveal by writing, word, conduct, or disclose in any way, in whole or in part, or by way of summary, including during tenure with the Committee or anytime thereafter, information or material in the possession of the Committee which pertains to illegal or improper conduct by a present or former Representative; allegations or accusations of this conduct; any resulting preliminary inquiry, adjudicatory review or other proceeding by the Committee into these allegations or conduct and any report issued about the inquiry, review, or other proceeding; the investigative techniques and procedures of the Committee; any testimony or other evidence given before the Committee in executive session (including the name of any witness who appeared or was called to appear in executive session), any classified or Committee-sensitive information, document or material, received or generated by the Committee, any material or information deemed to be confidential by the Chair and Vice Chair, acting jointly, or any classified or Committee-sensitive information which may come into the possession of this person during tenure with the Committee or its staff. No such information shall be made public unless authorized by a two-thirds vote of the authorized membership.

10.2. Disclosure to Executive and Judicial Officials. (a) Information, documents, or materials may be released to an official of the executive branch properly cleared for access with a need-to-know, for any purpose or in connection with any proceeding, judicial or otherwise, as authorized by the Committee or, in the event of termination of the Committee, in such a manner as may be determined by its successor or by the House.

(b) Information, documents, or materials may be released to an official of the judicial branch if it is required for judicial purposes, as authorized by the Committee or, in the event of termination of the Committee, in such a manner as may be determined by its successor or by the House.

10.3. Committee-Sensitive Documents. (a) Committee-sensitive documents and materials shall be stored in the Chair's office, with appropriate safeguards for maintaining the security of the documents or materials. Removal from the Chair's office of these documents or materials is prohibited except as necessary for use in, or preparation for, interviews or Committee meetings, including the taking of testimony, or as otherwise specifically approved by the Chair and Vice Chair, acting jointly.

(b) Each member shall have access to all materials in the Chair's possession. Members' staff shall not have access to Committee-sensitive documents and materials without the specific approval in each instance of the Chair and Vice Chair, acting jointly. Members may examine these materials in the Chair's office.

(c) Any Representative, who is not a member and who seeks access to any Committee-sensitive documents or materials, other than documents or materials which are matters of public record, shall request access in writing. The Committee shall decide by a two-thirds vote of the authorized membership whether to share documents or materials available. If access is granted, the Representative shall not disclose the information found in the documents or materials except as authorized by the Committee.

(d) Whenever the Committee makes Committee-sensitive documents or materials available to any Representative who is not a member in response to a specific request to the Chair and Vice Chair, a written record shall be made identifying the Representative requesting such documents or materials and describing what was made available to the Representative.

10.4. Release of Report to Public. All information of official actions, statements, or positions of the Committee shall be made by the Chair.

PART 11. CHANGES IN SUPPLEMENTARY PROCEDURAL RULES

11.1. Adoption of Changes in Supplementary Rules. The Rules of the Select Committee on the Standards of Conduct, other than rules established by statute, or by the Rules of the House, may be modified, amended, or suspended at any time, pursuant to a recorded vote of not less than two-thirds of the authorized membership taken at a meeting called with due notice after prior written notice of the proposed change has been provided each member.

11.2. Publication. Any amendments to the Rules of this Committee shall be published.

SCRep. 1 Energy & Environmental Protection on H.B. No. 556

The purpose of this measure is to:

- (1) Require that the State Building Code Council include voting members with experience and knowledge in building energy efficiency standards and sustainable building, design, construction, and operation; and
- (2) Direct the counties to amend or adopt their respective building codes and standards based upon the International Energy Conservation Code no later than one year after the adoption of the Hawaii State Building Energy Conservation Code.

Your Committee received testimony in support of this measure from the Blue Planet Foundation, Ulupono Initiative, Climate Protectors Coalition, and one individual. Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee finds that building energy codes set minimum requirements for energy-efficient design and construction for new and renovated buildings that impact energy use and reduce greenhouse gas emissions for the life of the building. However, the State has historically lagged behind other jurisdictions with respect to updating its state building energy conservation codes, with the counties lagging even further. By establishing and regularly updating uniform building energy conservation codes, the State can ensure that building design, construction, and operation address important societal concerns, including public health and safety, environmental protection, and consumer protection against costly monthly utility bills.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 556, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 556, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Tokioaka).

SCRep. 2 Energy & Environmental Protection on H.B. No. 860

The purpose of this measure is to, beginning January 1, 2022, prohibit the issuance of building permits for new single-family dwellings that are part of a development of twenty or more dwellings and do not include a rooftop photovoltaic energy generating system, unless a variance is granted.

Your Committee received testimony in support of this measure from Skyline Hawaii, Life of the Land, Our Revolution Hawaii, 350Hawaii, Blue Planet Foundation, Hawaii PV Coalition, Sierra Club of Hawai'i, Kauai Climate Action Coalition, and thirteen individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS, Building Industry Association of Hawaii, and Land Use Research Foundation of Hawaii. Your Committee received comments on this measure from the Hawaii State Energy Office and Hawai'i Gas.

Your Committee finds that taking advantage of available rooftop space for rooftop solar photovoltaics will be critical for the State in achieving its one hundred percent renewable energy target. By establishing a rooftop solar energy generation system requirement for new, single-family homes, this measure helps the State achieve its renewable energy goals and lowers Hawaii's dependence on nonrenewable energy sources, leading to a more sustainable future.

Your Committee has amended this measure by:

- (1) Authorizing the Chief Energy Officer of the Hawaii State Energy Office, rather than the Director of the Department of Business, Economic Development, and Tourism, to adopt rules to impose and collect fees to cover the costs of administering variances;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 860, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 860, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Tokioaka).

SCRep. 3 Energy & Environmental Protection on H.B. No. 592

The purpose of this measure is to require the Public Utilities Commission to:

- (1) Explore, through its docket process, the feasibility of relocating above-ground electrical transmission lines and distribution lines underground in high-risk areas on the island of Maui; and
- (2) Submit a report to the Legislature prior to the Regular Session of 2022.

Your Committee received testimony in support of this measure from Life of the Land. Your Committee received testimony in opposition to this measure from Hawaiian Electric Company, Inc. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Public Utilities Commission.

Your Committee finds that placing electric transmission and distribution lines above or below ground is a complex issue with certain benefits and challenges. Placing facilities underground provides more resiliency to certain damaging events, but is costly to install and requires more time and costs to restore service. Placing facilities overhead makes it more susceptible to damage from certain events, but is less costly and faster to restore services than underground facilities. Therefore, exploring solutions to the challenges of above-ground electrical infrastructure will provide for better planning of the energy infrastructure in the State.

Your Committee has amended this measure by:

- (1) Clarifying that the Public Utilities Commission shall explore solutions to the problems posed by siting of above-ground electrical infrastructure in high-risk areas, rather than the feasibility of relocating above-ground electric transmission lines and distribution lines underground in certain areas on the island of Maui;
- (2) Requiring that the assessment include the costs of possible solutions and potential impact for customers on the island of Maui, rather than the amortized costs of relocating above-ground electric transmission and distribution lines underground;

- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 592, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 592, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Tokioka).

SCRep. 4 Energy & Environmental Protection on H.B. No. 561

The purpose of this measure is to:

- (1) Require the Public Utilities Commission to determine whether analysis of the effect of the State's reliance on fossil fuels is necessary for proceedings involving water, wastewater, or telecommunications providers on an individual basis; and
- (2) Provide that the analysis is not required for an electric or gas utility's routine system replacements or determinations that do not directly pertain to capital improvements or operations.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Public Utilities Commission, and Hawaiian Electric Company, Inc. Your Committee received testimony in opposition to this measure from Life of the Land. Your Committee received comments on this measure from Hawai'i Gas and Hawaii Clean Power Alliance.

Your Committee finds that price volatility of fossil fuels has a negative impact on consumers, while greenhouse gas emissions from fossil fuel use has a negative impact on the environment. Examining the impacts of fossil fuel use by utilities will assist the State in achieving its carbon negative target by 2045 and help to mitigate the damaging effects of sea level rise due to greenhouse gas emissions.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 561, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 561, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Tokioka).

SCRep. 5 Energy & Environmental Protection on H.B. No. 111

The purpose of this measure is to eliminate fossil fuels in the State for electricity generation and storage by prohibiting:

- (1) Any new extension, improvements, overhauling, or refurbishing of any fossil fuel electricity generation or fossil-fuel powered electricity use for grid-tied battery energy storage; and
- (2) The use of fossil fuels for electricity generation or grid-tied battery energy storage.

Your Committee received testimony in support of this measure from Skyline Hawaii, Life of the Land, Our Revolution Hawaii, 350Hawaii, Hawaii Clean Power Alliance, Environmental Caucus of the Democratic Party of Hawai'i, Climate Protectors Coalition, Kauai Climate Action Coalition, Pacific Biodiesel Technologies, and fourteen individuals. Your Committee received testimony in opposition to this measure from the Kaua'i Island Utility Cooperative and Hawaiian Electric Company, Inc. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Public Utilities Commission, Hawaii State Energy Office, and Tesla, Inc.

Your Committee finds that the State has committed to transitioning away from fossil fuels and toward a clean energy economy powered by one hundred percent renewable energy. This measure facilitates this renewable energy transformation by reducing the State's dependency on imported and price-volatile fossil fuels, fostering innovation and clean energy job growth, helping protect Hawaii's environment, and positioning the State as a global leader in renewable energy and climate solutions.

Your Committee has amended this measure by:

- (1) Deleting language that would have prohibited the Public Utilities Commission from approving or extending any new extension, improvements, overhauling, or refurbishing of any fossil fuel electricity generation or fossil fuel powered electricity use for grid-tied battery energy storage after an unspecified date;
- (2) Specifying that after December 31, 2045, electricity generation facilities shall cease the use of all fossil fuels for the generation or storage of electricity;
- (3) Deleting references relating to battery energy storage;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 111, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 111, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Tokioka).

SCRep. 6 Energy & Environmental Protection on H.B. No. 555

The purpose of this measure is to:

- (1) Require retailers of household appliances to conspicuously display available energy efficiency rebates funded by the public benefits fee and state-specific energy operation costs;
- (2) Direct the Public Benefits Fee Administrator to create and update the template to be used by retailers; and
- (3) Require the Hawaii State Energy Office and Public Benefits Fee Administrator to give notice to retailers.

Your Committee received testimony in support of this measure from the Blue Planet Foundation, Hawai'i Energy, and Climate Protectors Coalition. Your Committee received testimony in opposition to this measure from the Association of Home Appliance Manufacturers and Retail Merchants of Hawaii. Your Committee received comments on this measure from the Public Utilities Commission and Hawaii State Energy Office.

Your Committee finds that Hawaii businesses and residents pay among the highest electricity rates in the nation, which reinforces the importance of adopting policies that promote and encourage energy efficiency. By requiring retailers to display information in retail stores about available rebates and Hawaii-specific operating costs of certain appliances, consumers can make informed decisions about which models best align with their economic situation and preferences.

Your Committee has amended this measure by:

- (1) Clarifying that the Hawaii State Energy Office shall publish signage requirements for household appliances on its website and provide the Public Benefits Fee Administrator a draft notification letter to be distributed to retail establishments, rather than notify all retailers subject to the signage requirements;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 555, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 555, H.D. 1, and be referred to your Committee on Economic Development.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Tokioaka).

SCRep. 7 Energy & Environmental Protection on H.B. No. 328

The purpose of this measure is to:

- (1) Allow for the installation of certain energy-efficient technologies on any privately owned single-family residential dwelling or townhouse, with limited restrictions; and
- (2) Require private entities to adopt rules regarding the placement of those technologies.

Your Committee received testimony in support of this measure from Our Revolution Hawaii, 350Hawaii, Kauai Climate Action Coalition, Climate Protectors Coalition, and nine individuals. Your Committee received testimony in opposition to this measure from Associa. Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee finds that despite the State's commitment to clean and renewable energy, there continues to be obstacles for homeowners to install energy efficient equipment in or on their privately-owned residence, particularly for homeowners of single-family residential dwellings and townhouses. Allowing community and condominium associations to permit homeowners to install energy-efficient technologies will help the State to accelerate energy efficiency and achieve its clean energy goals.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 328, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 328, H.D. 1, and be referred to your Committee on Housing.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Tokioaka).

SCRep. 8 Energy & Environmental Protection on H.B. No. 116

The purpose of this measure is to:

- (1) Authorize the Chief Energy Officer of the Hawaii State Energy Office to adopt rules to enforce minimum efficiency standards for certain products and establish or amend appliance efficiency standards in certain situations; and
- (2) Regulate the appliance efficiency standards for air purifiers and portable electric spas.

Your Committee received testimony in support of this measure from the Public Utilities Commission, Blue Planet Foundation, Hawai'i Energy, Appliance Standards Awareness Project, Pool & Hot Tub Alliance, and one individual. Your Committee received testimony in opposition to this measure from the Association of Home Appliance Manufacturers. Your Committee received comments on this measure from the Hawaii State Energy Office and Plumbing Manufacturers International.

Your Committee finds that the State has established minimum energy and water efficiency standards for certain products sold, leased, or rented in the State that promote and encourage energy efficiency. Expanding the list of products requiring minimum efficiency standards can help save millions of dollars on utility bills annually and offer additional benefits for Hawaii residents, local businesses, the environment, and economy.

Your Committee has amended this measure by:

- (1) Changing the definition of "showerhead" to match the definition within the California Code of Regulations;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 116, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 116, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Tokioaka).

SCRep. 9 Energy & Environmental Protection on H.B. No. 78

The purpose of this measure is to eliminate the requirement for a public utility to seek approval from the Public Utilities Commission for the underground construction of high-voltage electric transmission lines if certain conditions are met.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Public Utilities Commission; and Hawaiian Electric Company, Inc.

Your Committee finds that this measure will streamline the regulatory process for installation of underground electric transmission lines, while maintaining appropriate oversight by the Public Utilities Commission. Additionally, this measure reduces the need for the Commission to review projects that would not adversely affect customers, which may result in more time and resources being utilized on other proceedings that require more attention.

Your Committee has amended this measure by:

- (1) Clarifying the regulatory treatment of costs covered by an entity other than the public utility;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 78, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 78, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Tokioka).

SCRep. 10 Energy & Environmental Protection on H.B. No. 906

The purpose of this measure is to:

- (1) Address deficiencies in Hawaii's fuel shortage response and energy emergency statutes;
- (2) Provide policy guidance on energy resiliency and actual or potential energy supply disruptions or shortages to preserve the State's energy resiliency and security and to ensure that fuel products and energy resources are made available to emergency services and the public in an orderly, efficient, and safe manner; and
- (3) Clarify the powers of the Governor and Chief Energy Officer in an energy shortage or state of emergency.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; and Hawaii State Energy Office. Your Committee received comments on this measure from the Civil Beat Law Center for the Public Interest and Hawai'i Gas.

Your Committee finds that a comprehensive approach is needed to address major deficiencies in outdated state statutes related to procurement, control, distribution, and sale of fuel products in response to a fuel shortage or energy emergency. This measure enables the State to address various needs to secure a more resilient energy ecosystem, such as better identifying the potential impacts from different types of energy disruptions, assessing the impacts of potential and actual energy disruptions, and developing comprehensive resiliency and response plans to ensure a more rapid response after an emergency, disruption, or disaster.

Your Committee has amended this measure by:

- (1) Deleting provisions that would have provided the Chief Energy Officer of the Hawaii State Energy Office with certain powers relating to energy assurance and fuel security;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 906, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 906, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Tokioka).

SCRep. 11 Energy & Environmental Protection on H.B. No. 560

The purpose of this measure is to:

- (1) Beginning July 1, 2021, require the Public Utilities Commission to provide for timely review in its decision-making process regarding proposed renewable energy projects; and
- (2) Require the timely completion of the interconnection process by electric public utilities.

Your Committee received testimony in support of this measure from Life of the Land, Hawaii Clean Power Alliance, and Climate Protectors Coalition. Your Committee received testimony in opposition to this measure from Hawaiian Electric Company, Inc. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Hawaii State Energy Office, Public Utilities Commission, and Ulupono Initiative.

Your Committee finds that in order to move the State closer to its carbon negative target as soon as possible, continual progress and the timely approval, commencement of construction, and completion of renewable energy projects are critical. Facilitating the timing for the interconnection process by electric public utilities will help to decrease electricity rates for consumers, assist the State in achieving its renewable portfolio standards goals in a timely manner, and reduce greenhouse gas emissions to mitigate climate change.

Your Committee has amended this measure by:

- (1) Deleting language that would have required the Public Utilities Commission to provide for timely review in its decision-making process regarding proposed renewable energy projects, including related findings;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 560, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 560, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Tokioka).

SCRep. 12 Judiciary & Hawaiian Affairs on H.B. No. 72

The purpose of this measure is to:

- (1) Establish a framework for the regulation of electric foot scooters by the State and counties; and
- (2) Amend definitions of "moped" to exclude electric foot scooters.

Your Committee received testimony in support of this measure from the Department of Transportation, County of Kauai Department of Planning, City and County of Honolulu Department of Transportation Services, Honolulu Police Department, Lime, and Spin. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs' Insurance Division.

Your Committee finds that this measure was developed with the involvement of several interested stakeholders to better ensure the safe and equitable use of electric foot scooters in Hawaii. Your Committee further finds that it is in the public's interest to maintain current personal injury protection benefits coverage for individuals using or operating electric foot scooters.

Your Committee has amended this measure by:

- (1) Retaining personal injury protection benefits for any individual sustaining injuries while using or operating an electric foot scooter; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 72, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 72, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Tokioka).

SCRep. 13 Judiciary & Hawaiian Affairs on H.B. No. 184

The purpose of this measure is to specify that filing fees for tax appeals are nonrefundable and that no deposits are required for tax appeals.

Your Committee received testimony in support of this measure from the Judiciary. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that this measure is a housekeeping measure to align the intent of Act 152, Session Laws of Hawaii 1997 (Act 152), which gave authority to the Supreme Court to establish a rule to allow for a non-refundable filing fee for tax appeal cases. Specifically, this measure:

- (1) Completes the intention of Act 152;
- (2) Follows current court filing fee practices; and
- (3) Allows the Judiciary to transfer the current amount that needs to be refunded to filing parties due to the inconsistent statutory language.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 184 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Tokioka).

SCRep. 14 Judiciary & Hawaiian Affairs on H.B. No. 201

The purpose of this measure is to improve the administration of elections by mail in the State by:

- (1) Clarifying certain statutory deadlines relating to elections by mail, including the date to which the clerk must continue mailing ballot packages to voters who update their voter registration address, and the date on which ballots may begin to be tabulated;
- (2) Authorizing a county clerk to operate additional voter service centers with varying days or hours of operation;
- (3) Providing that voters standing in line at a voter service center at the time the voter service center closes may vote or register to vote, if eligible; and
- (4) Authorizing a county clerk to open places of deposit no earlier than the initial day that ballots are mailed.

Your Committee received testimony in support of this measure from the Office of Elections, County of Kauai Office of the County Clerk, County of Maui Office of the County Clerk, City and County of Honolulu Elections Administrator, Common Cause Hawaii, Indivisible Hawaii, AARP Hawaii, and eleven individuals. Your Committee received testimony in opposition to this measure from the Honolulu County Republican Party. Your Committee received comments on this measure from the County of Hawaii Office of the County Clerk.

Your Committee finds that statewide elections by mail was implemented in the 2020 primary and general elections and the State received record voter turnout. This measure is necessary to build off of the experiences learned in the implementation of elections by mail to improve services and opportunities for voters to cast their ballots and the administration of elections by state and county election officials.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 201 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Ward). Noes, none. Excused, 1 (Tokioka).

SCRep. 15 Water & Land on H.B. No. 244

The purpose of this measure is to clarify the data requirements for land recordation by the Bureau of Conveyances, on land other than fee simple time share interests deregistered by the Land Court, to include a plan of the parcel or parcels sought to be deregistered that includes a map and description prepared by a

licensed professional surveyor.

Your Committee received testimony in support of this measure from four individuals.

Your Committee finds that the existing Land Court deregistration does not ensure that landowners who voluntarily deregister their properties are in possession of a proper map and legal description for their land to replace those that become inaccurate or inapplicable upon deregistration. This measure ensures that lands deregistered have the proper documentation expected of all other land not registered with the Land Court.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 244 and recommends that it pass Second Reading and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Ohno, McDermott).

SCRep. 16 Water & Land on H.B. No. 245

The purpose of this measure is to amend the definition of "historic property" under the historic preservation law to include the requirement that the property meet the criteria for being entered into the Hawaii Register of Historic Places.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Hawaii Housing Finance and Development Corporation. Your Committee received comments on this measure from the Office of Hawaiian Affairs and Historic Hawai'i Foundation.

Your Committee finds that the current definition of "historic property" has created a backlog of reviews for properties simply due to the age of the properties. This measure, by specifying that historic properties meet the criteria for entry into the Hawaii Register of Historic Places, will narrow the focus for the administration of the historic preservation law to properties of greater historic significance rather than solely based on age.

Your Committee notes the concerns raised by the Office of Hawaiian Affairs regarding the effect of this measure on Native Hawaiian cultural sites. Your Committee was assured by the Department of Land and Natural Resources that Native Hawaiian cultural sites currently are, and will continue to be, protected under this measure.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 245 and recommends that it pass Second Reading and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Ohno, McDermott).

SCRep. 17 Water & Land on H.B. No. 247

The purpose of this measure is to implement several recommendations with regard to land subdivision and condominium property regime laws relating to agricultural lands made by the Office of Planning as a result of a study conducted pursuant to Act 278, Session Laws of Hawaii 2019 (Act 278).

Your Committee received testimony in support of this measure from the Department of Agriculture, Office of Planning, Real Estate Commission, Department of Planning and Permitting of the City and County of Honolulu, Chair of the Maui County Council, Ulupono Initiative, Hawaii Farm Bureau, and Hawaii Cattlemen's Council. Your Committee received comments on this measure from the Department of Taxation.

Your Committee finds that Act 278 directed the Office of Planning to study subdivision and condominium property regime issues on agricultural lands. In collaboration with a broad group of stakeholders, this measure strengthens the definition of "farm dwelling" to recognize only bona fide farms, allows county enforcement of unpermitted structures, and allows counties to submit comments before the registration of a condominium property regime.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 247 and recommends that it pass Second Reading and be referred to your Committee on Agriculture.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Ohno, McDermott).

SCRep. 18 Water & Land on H.B. No. 344

The purpose of this measure is to clarify the venues regarding certain disputes by specifying that the Board of Land and Natural Resources (Board), Commission on Water Resource Management (Commission), and the counties, regarding disputes over land use, shall not conduct contested case hearings, but that decisions and disputes may be contested and adjudicated in the circuit court.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, University of Hawai'i System, Kona-Kohala Chamber of Commerce, Maunakea Observatories, Hawai'i Island Chamber of Commerce, and one individual. Your Committee received testimony in opposition to this measure from Life of the Land and Earthjustice.

Your Committee finds that the number and complexity of contested cases has greatly increased over time. This measure seeks to reduce some of the duplication, uncertainty, and costs related to land use decisions specifically for the Board, Commission, and counties, while allowing the continued use of contested case hearings for other departments and agencies and for disputes over other types of issues.

Your Committee notes the concerns raised regarding ensuring due process for those contesting decisions or disputes by an agency in court rather than through the contested case hearing process. Should your Committee on Judiciary and Hawaiian Affairs hear this measure, your Committee respectfully requests that it consider these due process concerns and an option of allowing the Department of Land and Natural Resources to conduct contested case hearings in certain circumstances.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 344 and recommends that it pass Second Reading and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Ohno, McDermott).

SCRep. 19 Water & Land on H.B. No. 498

The purpose of this measure is to authorize the Department of Land and Natural Resources (Department) to use in-lieu fee mitigation to restore, create, enhance, or preserve aquatic habitats or resources as compensatory mitigation prospectively or for past damages.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Democratic Party Environmental Caucus, Ocean Tourism Coalition, Trilogy Excursions, and one individual.

Your Committee finds that natural resource agencies prefer third-party mitigation banks or in-lieu fee mitigation to permittee-responsible mitigation because these third-party mitigation bank or in-lieu fee sponsors are often public or private entities with more experience, scientific expertise, and vested long-term interest in natural resource conservation. In-lieu fee mitigation is widely used across the United States to achieve ecologically valuable conservation by restoring wetland and stream habitats. This measure allows the Department to be the first state in the nation to establish in-lieu fee mitigation for coral reefs.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 498 and recommends that it pass Second Reading and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Ohno, McDermott).

SCRep. 20 Labor & Tourism on H.B. No. 465

The purpose of this measure is to:

- (1) Clarify that the representative of labor on the Hawaii Labor Relations Board be a person selected by a majority of the exclusive representatives of the collective bargaining units; and
- (2) Establish procedures for the removal of the representative of labor from the Hawaii Labor Relations Board.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association AFSCME Local 152, AFL-CIO and the University of Hawaii Professional Assembly. Your Committee received testimony in opposition to this measure from the Office of Collective Bargaining, Executive Office of the Governor. Your Committee received comments on this measure from the Hawaii Labor Relations Board.

Your Committee finds that the current process of allowing the Governor to pick a name from a list of three nominees to fill the role of representative of labor provides the Governor with too much authority over the composition of the Hawaii Labor Relations Board (Board). Providing a single name to the Governor that has been vetted by the exclusive representatives, with a clear timeframe for the name to be transmitted to the Senate for consideration as well as a default process for Senate confirmation if the deadline is missed, ensures greater fairness, predictability, and transparency in the appointment process. Your Committee also finds that providing a mechanism to remove an ineffective labor representative is essential to the functioning of the Board.

Your Committee has amended this measure by 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 465, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 465, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Sayama). Noes, none. Excused, none.

SCRep. 21 Labor & Tourism on H.B. No. 567

The purpose of this measure is to:

- (1) Require each department to establish a telework and alternative work schedule policy;
- (2) Establish a minimum percentage of eligible employees participating in telework or using an alternative work schedule by July 1, 2025; and
- (3) Where feasible, require departments to allow employees who act as a caregiver to telework or use an alternative work schedule.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii State Commission on the Status of Women, Hawaii State Teachers Association, Hawaii Children's Action Network Speaks!, AAUW of Hawaii, Planned Parenthood Votes Northwest and Hawaii, and eight individuals. Your Committee received comments on this measure from the Department of Education; Department of Commerce and Consumer Affairs; Department of Transportation; Department of Human Resources Development; Department of Public Safety; Hawaii State Public Library System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the ongoing coronavirus pandemic has had a disproportionate impact on women and their ability to support themselves and their families. Existing telework policies are outdated and have not been able to adequately respond to increased child care and educational demands. Your Committee also finds that developing a comprehensive policy for telework and alternative work schedules for state employees, where feasible, may be essential to retaining qualified employees. However, prior to imposing these requirements on individual departments, it would be prudent to conduct a study of best practices for teleworking and request recommendations for their application.

Accordingly, your Committee has amended this measure by:

- (1) Removing the requirement for departments to establish a telework and alternative work schedule policy;
- (2) Requiring the Legislative Reference Bureau to conduct a study on telework and the use of alternative work schedules for state employees, and report back to the Legislature at least twenty days prior to the Regular Session of 2022;
- (3) Requiring each state department and agency to cooperate with the Legislative Reference Bureau in providing information and data necessary to conduct the study; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 567, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 567, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 22 Labor & Tourism on H.B. No. 670

The purpose of this measure is to authorize the forfeiture of certain Employees' Retirement System benefits, pursuant to court order, for state or county employees and designated beneficiaries who are convicted of an employment-related felony.

Your Committee received testimony in support of this measure from Common Cause Hawaii, Indivisible Hawaii, and nine individuals. Your Committee received comments on this measure from the Employees' Retirement System.

Your Committee finds that public officers and employees are responsible for upholding the public's trust in government and democracy. The public's belief in government and democracy become strained when public officers and employees participate in misconduct in their employment, while maintaining the benefits of their employment. This measure will demonstrate that the State takes the ethics of its employees seriously.

Your Committee has amended this measure by 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 670, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 670, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 23 Labor & Tourism on H.B. No. 838

The purpose of this measure is to clarify the meaning of "program or activity receiving state financial assistance" and exclude cases within the scope of the Individuals with Disabilities Education Act from the jurisdiction of the Hawaii Civil Rights Commission.

Your Committee received testimony in support of this measure from the Hawaii Civil Rights Commission, Disability and Communication Access Board, Hawaii Disability Rights Center, National Federation of the Blind of Hawaii, and two individuals.

Your Committee finds that when it was enacted, the intent of section 368-1.5, Hawaii Revised Statutes, was to give the Hawaii Civil Rights Commission (Commission) jurisdiction over disability discrimination claims, even if protections under section 504 of the federal Rehabilitation Act of 1973, as amended, (Section 504) are available. Nonetheless, in *Hawaii Technology Academy, et al. v. L.E., et al.*, 141 Hawaii 147 (2017), the Hawaii Supreme Court decided that the Commission lacks jurisdiction over disability discrimination cases when section 504 applies. The practical effect of this ruling was to leave people with disabilities with a state law against discrimination but no actual state remedy.

Your Committee further finds that this measure resolves that anomaly by defining a program or activity receiving state financial assistance to include a program or activity that receives federal and state financial assistance. This measure also takes the precaution of explicitly excluding claims within the scope of the Individuals with Disabilities Education Act from the Commission's jurisdiction to alleviate further confusion.

Your Committee has amended this measure by 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 838, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 838, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 24 Water & Land on H.B. No. 98

The purpose of this measure is to strengthen the penalties for violations of the State's aquatic resources law.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawaii, For the Fishes, Hawaii Island Group Sierra Club, Moana Ohana, Hawaii Reef and Ocean Coalition, and four individuals. Your Committee received testimony in opposition to this measure from the Ocean Tourism Coalition, Trilogy Excursions, PacWhale EcoAdventures, Alii Nui Charters, Calypso Charters, Malolo Charters, and two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that Hawaii's aquatic resources are finite and deserving of greater protection and that these additional statutes and increased penalties proposed in this measure are long overdue.

Noting the Department of Land and Natural Resources' concerns about elevating violations of chapter 187A, Hawaii Revised Statutes, to a misdemeanor, your Committee urges the Department to further analyze and articulate these concerns should your Committee on Judiciary & Hawaiian Affairs choose to hear this measure.

Your Committee has amended this measure by:

- (1) Clarifying that the seizure and forfeiture of property and the imposition of a criminal fine are penalties for intentional violations of the aquatic resources law;
- (2) Adding other assets to the types of property that can be seized and forfeited for intentional violations of the aquatic resources law;
- (3) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 98, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 98, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Ohno, McDermott).

SCRep. 25 Water & Land on H.B. No. 369

The purpose of this measure is to improve certain state facilities by increasing the allocation of funds from transient accommodations tax revenue to the Special Land and Development Fund.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Kohala Coast Resort Association, and one individual. Your Committee received testimony in opposition to this measure from the Chairperson of the County of Maui Council.

Your Committee finds that the historically large number of visitors to the State has placed strain on state facilities, such as parks, trails, small boat harbors, and natural areas that are operated and maintained by the Department of Land and Natural Resources. This measure attempts to sustain the State's natural resources by offsetting the impacts of the consumption, access, and impact to the State's unique natural and cultural resources.

Your Committee has amended this measure by:

- (1) Providing the Department of Land and Natural Resources flexibility by not limiting the types of natural resources that can benefit from the Special Land and Development Fund;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 369, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 369, H.D. 1, and be referred to your Committee on Labor & Tourism.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Ohno, McDermott).

SCRep. 26 Water & Land on H.B. No. 499

The purpose of this measure is to authorize the Board of Land and Natural Resources to extend commercial, industrial, resort, or governmental leases, other than those to which the University of Hawaii is a party, that have not been sold or assigned within the last ten years, for lessees who commit to substantial improvement to the existing improvements.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Stanford Carr Development, LLC; Hawaii Island Economic Development Board; Prince Kuhio Plaza; Ocean Tourism Coalition; McCully Works; and one individual. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs, Kupuna for the Moopuna, Ka Lahui Hawai'i Komike Kalaiaina, and one individual.

Your Committee finds that the opportunities presented by the extension of leases of public lands support economic development and promote economic stability throughout the State of Hawaii. This measure will support long term tenants who wish to continue their businesses past the sixty-five year lease restrictions, while promoting the upkeep of these properties by lessees.

Your Committee recognizes the concerns raised by the Office of Hawaiian Affairs and urges the Office of Hawaiian Affairs to work with the proponents of this measure to find common ground and offer specific recommendations to your Committee on Consumer Protection & Commerce should it choose to hear this measure.

Your Committee has amended this measure by:

- (1) Including "mixed use", defined as a development that combines two or more of the following uses in a single project: commercial use, resort use, multifamily residential use, or government use, as one of the uses for which the Board of Land and Natural Resources may extend the rental period of a lease of public land;
- (2) Changing its effective date to January 1, 2050, to encourage further discussion; 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 499, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 499, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Ganaden). Noes, none. Excused, 2 (Ohno, McDermott).

SCRep. 27 Water & Land on H.B. No. 601

The purpose of this measure is to improve public safety and efficiency by authorizing:

- (1) The Chairperson of the Board of Land and Natural Resources to designate state employees or contractors; and
- (2) County police chiefs to designate other county employees or contractors, such as trained county staff or park rangers, to cite for certain traffic violations.

Your Committee received testimony in support of this measure from the County of Kauai, Kauai Police Department's Patrol Services Bureau, National Tropical Botanical Garden, and two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the shortage of police officers across Hawaii constrains county police departments' ability to enforce traffic and safety violations. This measure will provide additional persons with the authority to issue traffic citations, thereby improving traffic safety in the State.

Your Committee urges the Department of Land and Natural Resources to further examine its legal and logistical concerns and to coordinate with the various county police departments and to provide their recommendations on how to address those concerns to your Committee on Judiciary & Hawaiian Affairs should it choose to hear this measure.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 601, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 601, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Ohno, McDermott).

SCRep. 28 Labor & Tourism on H.B. No. 90

The purpose of this bill is to effectuate its title.

H.B. No. 90 was introduced as a short-form bill, which is sometimes referred to as a "vehicle" bill primarily used to introduce a bill containing only a general idea as to the purpose of the bill without specific details in the long form.

Your Committee has amended the bill to provide the substantive contents of the bill in long form so that a public hearing may be properly held on its substantive contents.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the action to report out H.B. No. 90, as amended herein, and recommends that it be recommitted to your Committee on Labor & Tourism, for the purpose of

holding a public hearing thereon, in the form attached hereto as H.B. No. 90, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 29 Labor & Tourism/Finance on H.B. No. 1278

The purpose of this measure is to:

- (1) Amend the definitions of "benefit year" and "week" for purposes of unemployment insurance;
- (2) Conform the manner of filing claims for partial benefits to the manner of filing claims for total or part-total benefits;
- (3) Set the employer contribution rate at schedule C and D for calendar years 2021 and 2022, respectively;
- (4) Require the Director of Labor and Industrial Relations to omit benefits charged for experience ratings for employers due to COVID-19 in calendar years 2021 and 2022; and
- (5) Amend the contribution rate schedule and procedure for determination retroactive to January 1, 2021.

Your Committees received testimony in support of this measure from Island Plastic Bags, Inc.; Maui Brewing Co; Napili Kai Beach Resort; Hawaii Restaurant Association; Hawaii Automobile Dealers' Association; Kohala Coast Resort Association; Honolulu Japanese Chamber of Commerce; Aloha Business Bitz, Inc. dba Island Art Party; Envisions Entertainment & Productions, Inc.; Hawaii Transportation Association; Hawaii Food Industry Association; Maui Chamber of Commerce; Chamber of Commerce Hawaii; Society for Human Resource Management (Hawaii Chapter); NAIOP Hawaii; Retail Merchants of Hawaii; Hawaii Lodging & Tourism Association; and three individuals. Your Committees received testimony in opposition to this measure from Maka'ala Hawai'i, Inc., dba Hilo Coffee Mill; Hawaiian Coffee Cafe, Inc.; and one individual. Your Committees received comments on this measure from the Department of Labor and Industrial Relations; Tax Foundation of Hawaii; Parents and Children Together; ProService Hawaii; Grassroot Institute of Hawaii; ALTRES, Inc.; Bergeman Group; AVS Audio Visual Services; 3G Enterprises, LLC, dba Pearlridge Texaco; Woo's Electrical & Appliance; Angels by the Sea Hawaii; Pono Kai Resort; Pearl City Medical Associates, Inc.; and three individuals.

Your Committees find that the COVID-19 pandemic has created unprecedented financial hardships for employers statewide and caused many businesses to fold. Skyrocketing unemployment has led to the State's depletion of the unemployment compensation trust fund to pay out on claims and required a loan of \$700,000,000 to keep the fund afloat. Since employer tax contributions to the State Unemployment Compensation Trust Fund are ordinarily calculated based on the overall health of the fund and the claims history of the employer, under the existing schedule, the depleted fund would prompt the highest statutory rate of H to apply, at a time when employers can least afford the increase.

Your Committees further find that timely relief is needed to mitigate these effects and support the State's struggling employers. This measure will require that benefits charged for experience ratings be omitted for calendar years 2021 and 2022. This measure will also override the preset formulas for calculating employer tax contributions to the state unemployment compensation trust fund. By legislatively forcing the schedule downward for 2021 and 2022, the amounts employers will have to pay will be significantly lowered.

Your Committees note that the Department of Labor and Industrial Relations requested that schedule D be used for 2021 and 2022. The Department also requested that section 383-62(a), Hawaii Revised Statutes, be amended to provide relief to certain reimbursable employers.

Accordingly, your Committees have amended this measure by:

- (1) Changing the employer contribution rate for calendar year 2021 from schedule C to schedule D;
- (2) Authorizing the Department of Labor and Industrial Relations to provide relief for certain reimbursable employers; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Labor & Tourism and Finance that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1278, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1278, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.

Labor & Tourism: Ayes, 8. Noes, none. Excused, none.

Finance: Ayes, 15. Noes, none. Excused, none.

SCRep. 30 Economic Development on H.B. No. 809

The purpose of this measure is to:

- (1) Establish the Hawaii Broadband Office within the Hawaii Technology Development Corporation;
- (2) Establish the position of the State Broadband Strategy Officer;
- (3) Rename the Broadband Assistance Advisory Council as the Broadband Advisory Council and amends its purpose and membership;
- (4) Require the Chief Executive Officer of the Hawaii Technology Development Corporation to convene and chair the Broadband Advisory Council; and
- (5) Appropriate funds for the creation and staffing of the Hawaii Broadband Office.

Your Committee received testimony in support of this measure from the Department of Health, Department of Human Services, Hawaii State Public Library System, Hawai'i Primary Care Association, Transform Hawai'i Government, HawaiiKidsCAN, Hawaii Island Economic Development Board, Hawaii Leeward Planning, Rock Your Cause, Kaunalewa, O'ahu County Democrats Digital Equity Committee, Auamo Collaborative, Learning Bond, Maui County Workforce Development Board, Oceanit, Hawaiian Hope Org, Code.org, Tangent Systems, Kamehameha Schools, and fourteen individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs; Department of Business, Economic Development, and Tourism; and Hawaii Technology Development Corporation.

Your Committee finds that there is a strong relationship between broadband access and economic development, education, health, community building, and civic engagement throughout the State. Furthermore, broadband is essential to maintain Hawaii's global competitiveness and a modern lifestyle, as its use grows in all sectors, particularly in education, retail, and government services. This measure establishes the Hawaii Broadband Office and restructures the Broadband Assistance Advisory Council to improve broadband services throughout the State.

Your Committee notes that representation from the Department of Commerce and Consumer Affairs and Office of Enterprise Technology Services on the Broadband Advisory Council may benefit the Council and believes that this issue merits further discussion by your Committee on Consumer Protection &

Commerce.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 809, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 809, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 31 Economic Development on H.B. No. 1218

The purpose of this measure is to prohibit planned community associations and condominium associations from banning home-based businesses, with certain exceptions.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that due to the challenging economic climate in the State, many local businesses are struggling. Expanding home-based business opportunities to individuals living in planned communities and condominiums may encourage more small business activity in the State by providing these businesses an opportunity to reduce expenses and take advantage of certain tax deductions.

Your Committee recognizes certain considerations related to zoning ordinances and permits required to operate a business, including appropriate business registration requirements, and believes that these considerations merit further discussion by your Committee on Consumer Protection & Commerce.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1218, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1218, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 32 Economic Development on H.B. No. 1191

The purpose of this measure is to:

- (1) Establish the Broadband Infrastructure Grant Program to award grants to applicants to extend deployment of infrastructure used to provide broadband service to unserved areas of the State;
- (2) Amend the Hawaii Technology Loan Revolving Fund to change it to the Hawaii Broadband Infrastructure Fund, including the types of funds deposited into the fund; and
- (3) Authorize the issuance of general obligation bonds for the Broadband Infrastructure Grant Program.

Your Committee received testimony in support of this measure from the Department of Health, Life of the Land, Hawai'i Primary Care Association, Transform Hawai'i Government, Keep Your Power Hawaii, Barefoot Fitness Naturally, Mahana Weddings Maui, Aloha Freedom Coalition, Charter Communications, and numerous individuals. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Budget and Finance; Office of Information Practices; Hawaii Technology Development Corporation; and Hawaiian Telcom.

Your Committee finds that it is critical to improve access to broadband services for residents, consumers, and businesses across the State. Although broadband coverage in the State is widespread, additional investment can be made to keep up with needs in rural communities to bridge the digital divide. The Broadband Infrastructure Grant Program proposed by this measure would facilitate deployment of infrastructure necessary to bring broadband service to unserved and underserved areas of the State.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1191, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1191, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 33 Economic Development on H.B. No. 240

The purpose of this measure is to:

- (1) Establish the Bank of the State of Hawaii Working Group to propose legislation to establish a state-operated Bank of the State of Hawaii; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Big Island Grown Dispensaries, Hawai'i Cannabis Industry Association, Young Progressives Demanding Action, Progressive Democrats of Hawaii, and ten individuals. Your Committee received testimony in opposition to this measure from the Department of Budget and Finance, Hawaii Credit Union League, and Hawaii Bankers Association. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that as the State faces economic challenges, it may be necessary to analyze and consider alternatives to the existing structure of financial institutions in Hawaii. Establishing a working group to develop proposed legislation on the establishment of a state-operated bank in Hawaii provides

a first step in finding these alternatives.

Your Committee has amended this measure by:

- (1) Amending the composition of the Bank of the State of Hawaii Working Group;
- (2) Deleting language related to an interim report and instead requiring the Working Group to submit a report to the Legislature by January 1, 2022;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 240, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 240, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Okimoto). Noes, none. Excused, none.

SCRep. 34 Labor & Tourism on H.B. No. 1043

The purpose of this measure is to amend chapter 237D, Hawaii Revised Statutes, relating to the transient accommodations tax (TAT) by:

- (1) Repealing the misdemeanor criminal penalty for failing to register under that chapter and replacing it with a monetary fine structure;
- (2) Replacing references to operator or plan manager with person or taxpayer;
- (3) Clarifying that a certificate of registration is required for persons who post advertisements for the furnishing of a transient accommodation;
- (4) Making the personal liability provision under the general excise tax law applicable to the TAT; and
- (5) Making various other technical amendments.

Your Committee received testimony in support of this measure from the Department of Taxation and one individual. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that this measure seeks to create parity between certain provisions of the general excise tax and the TAT and will assist the Department of Taxation in closing loopholes in the imposition of the TAT.

Your Committee has amended this measure by 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1043, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1043, H.D. 1, and be referred to your Committee on Economic Development.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 35 Water & Land on H.B. No. 467

The purpose of this measure is to redevelop certain areas or regions of public lands by:

- (1) Establishing a framework to identify and redevelop areas of public lands that are classified as commercial, industrial, resort, and hotel parcels in need of revitalization;
- (2) Creating a nine-member planning committee for each redevelopment district to provide policy direction and prepare a redevelopment plan;
- (3) Authorizing a local redevelopment agency to contract with a developer for construction of non-residential projects within a redevelopment area;
- (4) Establishing a revolving fund for each redevelopment district that would generate revenues through fifty percent of the income, revenues, and receipts from the public lands in the redevelopment district, legislative appropriations, grants, gifts, and other funds; and
- (5) Creating the Waiakea Peninsula Redevelopment District on the island of Hawaii, Waiakea Peninsula Redevelopment District Planning Committee, and Waiakea Peninsula Redevelopment District Revolving Fund.

Your Committee received testimony in support of this measure from Kohala Coast Resort Association; Hawaii Island Economic Development Board; Hawaii Association of REALTORS; Kaneohehua Industrial Area Association; Takamine Construction, Inc.; David S. De Luz, Sr. Enterprises, Inc.; and four individuals. Your Committee received testimony in opposition to this measure from Ka Lahui Hawaii Komike Kalaiaina. Your Committee received comments on this measure from the Department of Land and Natural Resources and Department of Budget and Finance.

Your Committee finds that because of the policies guiding the management of public lands with commercial, industrial, resort, and hotel uses, there has been little incentive for lessees to make major improvements to their infrastructure, resulting in the deterioration of infrastructure and facilities. The lack of improvements in many of these areas has resulted in dilapidation, deterioration, or obsolescence of buildings and structures. Your Committee recognizes the concerns raised by the Department of Land and Natural Resources and notes that the Department has made significant progress administratively in the planning, disposition, and redevelopment of certain areas or regions of public lands; however, your Committee believes this measure will help rejuvenate public lands over time and warrants further consideration.

Your Committee has amended this measure by:

- (1) Removing the seed money appropriations into and out of the Waiakea Peninsula Redevelopment District Revolving Fund;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 467, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 467, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Ohno, McDermott).

SCRep. 36 Government Reform on H.B. No. 141

The purpose of this measure is to:

- (1) Increase the amount of the fine that may be assessed against a noncandidate committee that makes only independent expenditures and that has received at least one contribution of more than \$10,000 or spent more than \$10,000 in an election period; and
- (2) Authorize the Campaign Spending Commission to order that the fine, or any portion of the fine, assessed against a noncandidate committee be paid from the personal funds of the officers of the noncandidate committee.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, League of Women Voters of Hawaii, and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that this measure increases the amount of fines assessed against a committee that makes only independent expenditures, otherwise known as Super PACs, which is necessary in enforcement cases against Super PACs. This measure will also serve as a more effective deterrent against Super PACs from violating campaign spending laws.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2012, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 141, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 141, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 37 Government Reform on H.B. No. 142

The purpose of this measure is to:

- (1) Require expenditures by candidate committees for reimbursements to other individuals, in addition to candidates, to be itemized in schedules filed with the reports to the Campaign Spending Commission; and
- (2) Delete "candidate reimbursements" from the list of noncandidate committee expenditures that need to be itemized.

Your Committee received testimony in support of this measure from the Campaign Spending Commission and Common Cause Hawaii.

Your Committee finds that under existing law, only candidate reimbursements need to be itemized in reports made to the Campaign Spending Commission. However, individuals other than the candidate are also being reimbursed for campaign costs advanced by those individuals. This measure requires that reimbursements made to other individuals are itemized as well, which will provide more transparency in how candidate committees are spending monies.

Your Committee further finds that this measure deletes the requirement that noncandidate committees report any candidate reimbursements, as noncandidate committees are already prohibited from receiving or making loans under existing law.

Your Committee has amended this measure by changing its effective date to July 1, 2012, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 142, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 142, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 38 Government Reform on H.B. No. 145

The purpose of this measure is to require excess contributions by nonresident contributors to a candidate, candidate committee, or noncandidate committee to escheat to the Hawaii Election Campaign Fund if not returned to the contributor within thirty days of receipt of the excess contribution.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that this measure will provide another source of income for the Hawaii Election Campaign Fund and allow candidates to more readily use available public financing through the Fund.

Your Committee has amended this measure by changing its effective date to July 1, 2012, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 145, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 145, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 39 Judiciary & Hawaiian Affairs on H.B. No. 186

The purpose of this measure is to:

- (1) Enact the 2018 Uniform Trust Code with appropriate amendments to reflect Hawaii law and practice; and
- (2) Repeal the Uniform Trustees' Powers Act, Uniform Prudent Investor Act, and laws regarding trust administration under the Uniform Probate Code.

Your Committee received testimony in support of this measure from the Judiciary and Commission to Promote Uniform Legislation.

Your Committee finds that this measure will update Hawaii statutes relating to trusts and bring them under one comprehensive umbrella, which will significantly reduce the time, complexity, and expense of trust proceedings.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 186, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 186, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Tokioka).

SCRep. 40 Judiciary & Hawaiian Affairs on H.B. No. 189

The purpose of this measure is to authorize the Chief Justice of the Hawaii Supreme Court to designate circuit court judges, retired intermediate appellate judges, or retired supreme court justices to temporarily fill a vacancy on the Intermediate Court of Appeals.

Your Committee received testimony in support of this measure from the Judiciary, Hawaii State Bar Association's Appellate Section, and numerous individuals.

Your Committee finds that the Intermediate Court of Appeals originally consisted of a chief judge and two associate judges. Your Committee further finds that the Legislature has since doubled the size of the Intermediate Court of Appeals to six judges. Existing law requires the Intermediate Court of Appeals to decide cases in panels of no less than three judges, and only allows the Chief Justice of the Hawaii Supreme Court to designate temporary judges when the number of available intermediate appellate judges is insufficient to make up a panel because of vacancy or disqualification. This measure will allow the Intermediate Court of Appeals to continue meeting its substantial and complex caseload by authorizing the Chief Justice to designate circuit court judges, retired intermediate appellate judges, or retired supreme court justices to fill any temporary vacancy on the court.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 189 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Tokioka).

SCRep. 41 Judiciary & Hawaiian Affairs on H.B. No. 481

The purpose of this measure is to clarify Hawaii's open meetings law by:

- (1) Providing that informational meetings and presentations on matters relating to official board business that are attended by a limited number of board members must be open to the public; and
- (2) Exempting members of a county council from the limitation on the number of board members that may attend an informational meeting or presentation.

Your Committee received testimony in support of this measure from a Councilmember of the Maui County Council and one individual. Your Committee received testimony in opposition to this measure from the Office of Information Practices, League of Women Voters of Hawaii, Civil Beat Law Center for the Public Interest, and Society of Professional Journalists Hawaii Chapter. Your Committee received comments on this measure from Common Cause Hawaii.

Your Committee finds that this measure is intended to clarify Hawaii's open meetings law to allow county councilmembers to be better informed about the issues affecting their constituents.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 481, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 481, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 1 (Takumi). Excused, 1 (Tokioka).

SCRep. 42 Judiciary & Hawaiian Affairs on H.B. No. 529

The purpose of this measure is to:

- (1) Authorize county police and planning or permitting agencies to enter privately owned residential real property, under certain specified conditions, to address imminent threats to health or safety or violations of county zoning laws; and
- (2) Establish penalties for violations.

Your Committee received testimony in support of this measure from twelve individuals.

Your Committee finds that real property owners have a responsibility to maintain their premises and refrain from using their premises for unlawful activities. When a real property owner fails to act in a timely manner to address hazardous or illegal conditions, it jeopardizes the health and safety of the entire community. This measure will provide county police and planning or permitting agencies greater enforcement capabilities when investigating imminent threats to health or safety or violations of county zoning ordinances on residential real properties.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 529 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Ward). Noes, 1 (D. Kobayashi). Excused, 1 (Tokioka).

SCRep. 43 Health, Human Services, & Homelessness on H.B. No. 313

The purpose of this measure is to:

- (1) Repeal the requirement that no less than fifty percent of the assessment fees deposited into the John A. Burns School of Medicine Special Fund be used for purposes identified by the Hawaii Medical Education Council;
- (2) Repeal the monetary cap of expenditures from the John A. Burns School of Medicine Special Fund; and
- (3) Authorize the John A. Burns School of Medicine Special Fund to award scholarships for qualifying medical students and provide loan repayment to physicians who commit to working in medically underserved areas of the State as part of the Health Care Provider Loan Repayment Program.

Your Committee received testimony in support of this measure from the University of Hawaii System, Department of Labor and Industrial Relations, Hawaii

Primary Care Association, The Queen's Health Systems, and one individual. Your Committee received comments on this measure from the Hawaii Medical Board.

Your Committee finds that the State is facing a severe physician shortage, particularly in rural or medically underserved areas, that will only worsen if action is not taken to correct the issue. Your Committee believes that expanding the use of funding received through the existing physician workforce assessment will give the State the flexibility to act rapidly on tangible solutions to the ongoing physician workforce shortage.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 313, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 313, H.D. 1, and be referred to your Committee on Higher Education & Technology.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 44 Health, Human Services, & Homelessness on H.B. No. 471

The purpose of this measure is to make permanent the regulation of behavior analysts under chapter 465D, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Department of Health, Department of Education, Hawaii State Teachers Association, Hawai'i Association for Behavior Analysis, Hawaii Disability Rights Center, Together For Our Keiki, Autism Speaks, Horizons Academy, and numerous individuals.

Your Committee finds that the regulation of the practice of applied behavior analysis established by Act 199, Session Laws of Hawaii 2015, is reasonably necessary to protect the health, safety, or welfare of those receiving services. Your Committee further finds that removing the sunset provision and making the licensure and regulation of behavior analysts permanent will ensure the ongoing protection of persons receiving these services.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 471 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 45 Health, Human Services, & Homelessness on H.B. No. 214

The purpose of this measure is to allow emergency medical personnel who have successfully completed National Registry of Emergency Medical Technicians certification to be qualified to perform emergency medical services as emergency medical technicians in the State.

Your Committee received testimony in support of this measure from the State Fire Council, Honolulu Fire Department, and five individuals. Your Committee received comments on this measure from the Hawaii Medical Board and one individual.

Your Committee finds that existing statutory language regulating emergency medical technicians does not address individuals such as firefighters and ocean safety lifeguards who have successfully completed National Registry of Emergency Medical Technicians certification but are not currently working on an ambulance. Your Committee further finds that allowing such individuals to be deemed qualified to perform emergency medical services as emergency medical technicians will create a more robust and resilient system by increasing the number of emergency medical technicians who can provide care during times of urgent need, including during disaster response.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 214, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 214, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 46 Health, Human Services, & Homelessness on H.B. No. 570

The purpose of this measure is to:

- (1) Expand the time period by which a civil action for childhood sexual abuse must be initiated;
- (2) Extend the period during which a victim of childhood sexual abuse may bring an otherwise time-barred action against the victim's abuser or an entity having a duty of care;
- (3) Allow victims to recover treble damages in certain circumstances;
- (4) Prohibit settlement agreements and court orders that restrict disclosure of certain information; and
- (5) Provide for training of legal entities on trauma-informed response to sexual abuse allegations.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, Imua Alliance, Talbert Law LLC, Galiher DeRobertis & Waxman, The Sex Abuse Treatment Center, Planned Parenthood Votes Northwest and Hawaii, Hoola Na Pua, Hawaii Women's Coalition, and five individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the majority of victims of childhood sexual abuse delay or withhold disclosure of their abuse, with an average delay in disclosure of twenty years. Victims of childhood sexual abuse may delay disclosure because of a lack of cognitive ability to discuss their trauma, fear of retaliation from their abuser, or any number of other reasons. Your Committee believes that extending the time period by which a victim of childhood sexual abuse must initiate a civil action against the victim's abuser will give victims of childhood sexual abuse a better opportunity to seek justice.

Your Committee has amended this measure by:

- (1) Removing the prohibition on settlement agreements and court orders that restrict disclosure of certain information;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 570, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 570, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 47 Health, Human Services, & Homelessness on H.B. No. 541

The purpose of this measure is to:

- (1) Require executive programs that purchase social services related to behavioral health, substance abuse, and homelessness to establish uniform baseline performance metrics, evaluation standards, and reimbursement rates;
- (2) Require all community or private organizations that purchase services for behavioral health, substance abuse, or homelessness, at the request of any state funding agency, to disclose the source of other federal, state, or county-level funding the organizations receive for the purposes of performing these services; and
- (3) Establish the State Payor Committee, to be led by the Department of Health, to oversee and coordinate the purchase of services and recommend approval or rejection of the purchase of service contracts covered by this Act.

Your Committee received testimony in support of this measure from the Office of the Mayor of the County of Maui. Your Committee received testimony in opposition to this measure from the Hawaii Substance Abuse Coalition, Big Island Substance Abuse Council, Poailani Inc., and three individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Human Services, Department of Health, Department of the Attorney General, State Procurement Office, The Queen's Health Systems, and one individual.

Your Committee finds that the care for persons with behavioral health and substance abuse issues is uncoordinated across state agencies and public providers. Your Committee believes that establishing a formalized coordination for purchasing services with state resources will promote greater coordination in care and better serve the people of Hawaii.

Your Committee has amended this measure by:

- (1) Adding the new statutory language to chapter 103F, Hawaii Revised Statutes, rather than chapter 103D, Hawaii Revised Statutes, as this is the more appropriate chapter for the procurements in this measure;
- (2) Clarifying the composition and duties of the State Payor Committee;
- (3) Removing references to homelessness services;
- (4) Clarifying that executive state agencies seeking to purchase social services related to behavioral health or substance abuse shall coordinate with the State Payor Committee as part of the planning process for the purchase of these services;
- (5) Clarifying that purchase of service contracts for behavioral health or substance abuse shall be reported to, rather than reviewed and approved by, the State Payor Committee;
- (6) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (7) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 541, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 541, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 48 Health, Human Services, & Homelessness on H.B. No. 224

The purpose of this measure is to:

- (1) Establish a funding cap on the State Health Planning and Development Special Fund of \$2,000,000;
- (2) Establish administrative penalties for persons who do not comply with an approved certificate of need;
- (3) Exempt hospice, psychiatric, and substance abuse facilities and certain dialysis center services from the certificate of need requirements; and
- (4) Appropriate funds from the State Health Planning and Development Special Fund to fund positions in the State Health Planning and Development Agency.

Your Committee received testimony in support of this measure from the State Health Planning and Development Agency. Your Committee received testimony in opposition to this measure from the Hawaii Substance Abuse Coalition; Hawai'i Care Choices; Po'ailani Inc.; Bristol Hospice; Navian Hawaii; Kauai Hospice, Inc.; and thirteen individuals. Your Committee received comments on this measure from the Hawaii Primary Care Association, Healthcare Association of Hawaii, Grassroots Institute of Hawaii, and three individuals.

Your Committee finds that increasing the special fund funding cap for the State Health Planning and Development Agency and establishing administrative penalties for noncompliance with approved certificates of need will allow the State Health Planning and Development agency to support existing positions and hire new positions, such as that of an investigator, to support the Agency's work in enforcing compliance.

Your Committee has amended this measure by:

- (1) Removing a reference to the State Health Planning and Development Agency as the agency responsible for administrating the State Health Planning and Development Special Fund;

- (2) Removing the certificate of need exemption for hospice facilities;
- (3) Clarifying that the certificate of need exemptions apply to psychiatric services, special treatment facilities, and chronic renal dialysis services, as those terms are defined in the Hawaii Administrative Rules;
- (4) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 224, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 224, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 49 Energy & Environmental Protection on H.B. No. 559

The purpose of this measure is to require lessors of rental motor vehicles to include an option for the lessee in the motor vehicle rental agreement to contribute a sum to the Department of Land and Natural Resources for the preservation and protection of the environment.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Climate Protectors Coalition. Your Committee received testimony in opposition to this measure from Avis Budget Group and Enterprise Holdings.

Your Committee finds that the protection of natural resources is critical to the future of the State's tourism industry. As other states have successfully used voluntary contribution check-off boxes to raise money for the protection of their natural resources, a similar program in Hawaii could be successful in raising funds for the State's own environmental management and visitor engagement.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 559, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 559, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Tokioka).

SCRep. 50 Energy & Environmental Protection on H.B. No. 393

The purpose of this measure is to, beginning January 1, 2030, prohibit the sale of new motor vehicles by motor vehicle dealers and salespersons that are solely powered by fossil fuels and designed for personal use.

Your Committee received testimony in support of this measure from the Hawaiian Electric Company, Inc.; Imua Alliance; Ulupono Initiative; Climate Protectors Coalition; Hawaii Electric Vehicle Association; and Blue Planet Foundation. Your Committee received testimony in opposition to this measure from the Hawaii Automobile Dealers' Association, Oahu Motorsports Association, Alliance for Automotive Innovation, Motorcycle Industry Council, and one individual. Your Committee received comments on this measure from the Hawaii State Energy Office and Motor Vehicle Industry Licensing Board.

Your Committee finds that the use of fossil fuels is the State's primary contributor to greenhouse gas emissions in the atmosphere. To accelerate the transition of the State's ground transportation to clean transportation alternatives, this measure prohibits the sale or offer for sale of new motor vehicles that are solely powered by fossil fuels and designed for personal, family, or household use.

Your Committee has amended this measure by:

- (1) Inserting language that establishes goals for the State to reduce emissions that cause climate change and build energy efficiencies across all sectors, including establishing a clean ground transportation target for light duty vehicles by December 31, 2045, and for state owned light duty vehicles by December 31, 2035;
- (2) Blanking the date after which the sale of new motor vehicles by motor vehicle dealers and salespersons that are solely powered by fossil fuels and designed for personal use is prohibited;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 393, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 393, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Matsumoto). Noes, none. Excused, 1 (Tokioka).

SCRep. 51 Energy & Environmental Protection on H.B. No. 801

The purpose of this measure is to, beginning January 1, 2023, prohibit a retailer from selling or offering for sale combustion engine-powered mopeds.

Your Committee received testimony in support of this measure from the Imua Alliance, Climate Protectors Coalition, Blue Planet Foundation, and Hawaii EV Association. Your Committee received testimony in opposition to this measure from the Oahu Motorsports Association, Retail Merchants of Hawaii, and one individual.

Your Committee finds that noise pollution is a serious problem affecting quality of life, particularly in urban areas. As a result, several cities around the world have started to phase out internal combustion engine mopeds for clean and quiet electric mopeds. This measure improves the quality of life in the State by prohibiting a retailer from selling or offering for sale combustion engine-powered mopeds beginning January 1, 2023.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 801, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 801, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Tokioka).

SCRep. 52 Energy & Environmental Protection on H.B. No. 558

The purpose of this measure is to:

- (1) Create the Clean Energy and Energy Efficiency Revolving Loan Fund within the Hawaii Green Infrastructure Special Fund;
- (2) Expand the objective of the \$50,000,000 sub-fund to allow state agencies to finance their purchase options under existing energy performance contracts and power purchase agreements to further reduce and stabilize future energy costs;
- (3) Repeal the Building Energy Efficiency Revolving Loan Fund; and
- (4) Appropriate funds out of the Clean Energy and Energy Efficiency Revolving Loan Fund to make clean energy investment loans or for other approved uses.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Climate Protectors Coalition, and Blue Planet Foundation. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Commerce and Consumer Affairs, Hawaii Green Infrastructure Authority, and Public Utilities Commission.

Your Committee finds that a significant barrier to clean energy adoption has been the unavailability of flexible financing and low-cost capital. Building Hawaii's clean energy infrastructure at the lowest possible cost is vital to reach the State's clean energy goals by 2045. Public funds must be used in a sustainable manner to simultaneously spark customer demand for clean energy technology and attract private investment in green technology.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 558, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 558, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Tokioka).

SCRep. 53 Energy & Environmental Protection on H.B. No. 562

The purpose of this measure is to repeal the requirement that noncarbonated bottled water be transported, stored, processed, or bottled through lines or equipment through which only water is passed.

Your Committee received testimony in support of this measure from the Sierra Club, Hawaii Food Industry Association, Ball Corporation, Ko Olina Resort Operators Association, and two individuals.

Your Committee finds that many carbonated soft drink companies on the mainland produce canned noncarbonated water with the same equipment used to make their other products. However, existing state law expressly prohibits carbonated soft drink, juice, and beer operations from using the same equipment to can noncarbonated bottled water. This measure ensures that local beverage filling companies that manufacture other products can provide noncarbonated water in aluminum cans to consumers as an alternative to single-use plastic water bottles.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 562, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 562, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Tokioka).

SCRep. 54 Energy & Environmental Protection on H.B. No. 113

The purpose of this measure is to exempt hydrogen fuels from petroleum product measurement requirements.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Hawaii Center for Advanced Transportation Technologies, Hawaii Automobile Dealers' Association, Alliance for Automotive Innovation, Servco Pacific Inc., and Ulupono Initiative.

Your Committee finds that hydrogen, as a renewable fuel, offers great promise for Hawaii. Your Committee further finds that the existing measurement standards law implies that hydrogen must be sold on the basis of measure, yet the State currently does not have a means to measure and certify hydrogen dispensers. This measure will assist the State in utilizing other forms of renewable fuels by explicitly exempting hydrogen from measurement standards relating to fuel.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 113, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 113, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Tokioka).

SCRep. 55 Energy & Environmental Protection on H.B. No. 327

The purpose of this measure is to:

- (1) Convene a sustainable aviation fuel task force within the Hawaii State Energy Office to develop a state action plan to reduce the greenhouse gas intensity of international air transportation from Hawaii; and
- (2) Require the task force and Hawaii State Energy Office to submit reports to the Legislature.

Your Committee received testimony in support of this measure from the Climate Protectors Coalition, Life of the Land, Imua Alliance, and three individuals. Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee finds that many of the requirements and renewable energy goals of the State have been focused on the electricity and ground transportation sectors as sources of greenhouse gas emissions. However, not much regard has been given to emissions from other forms of transportation or other major economic drivers. Developing an action plan to reduce the greenhouse gas emissions generated by other forms of transportation, such as air transportation, will contribute to a holistic plan of action for Hawaii regarding policy, technology, funding, and facilitation of public and private actions on climate change mitigation.

Your Committee notes that an appropriation amount of \$100,000 to \$200,000 will likely be necessary for the task force to effectively perform its duties and requests that any of your subsequent Committees on referral further examine this issue, as applicable.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 327, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 327, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Tokioka).

SCRep. 56 Energy & Environmental Protection on H.B. No. 1092

The purpose of this measure is to establish procedures for the Department of Transportation to assist and enable a person to voluntarily purchase a verified carbon offset for carbon dioxide emissions resulting from the person's air travel to or from an airport in the State.

Your Committee received testimony in support of this measure from the Blue Planet Foundation. Your Committee received testimony in opposition to this measure from 350Hawaii. Your Committee received comments on this measure from the Department of Transportation and Office of Planning.

Your Committee finds that there are many contributors to climate change, and transportation-generated greenhouse gas emissions are a significant contributor. Establishing a carbon offsetting and reduction scheme will help the State achieve its zero-emission clean economy target, while appealing to air travelers who are aware of the climate change implications of their travel.

Your Committee has amended this measure by:

- (1) Requiring the Department of Transportation to work in consultation with the Office of Planning to facilitate the voluntary purchase of air travel carbon offsets;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1092, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1092, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Tokioka).

SCRep. 57 Energy & Environmental Protection on H.B. No. 900

The purpose of this measure is to enable the use of funds from the brownfields cleanup revolving loan fund for environmental site assessments and for sub-grants to eligible entities for assessment and cleanup of brownfields sites.

Your Committee received testimony in support of this measure from the Department of Health; Department of Business, Economic Development, and Tourism; Office of Planning; and Department of Planning and Permitting for the City and County of Honolulu.

Your Committee finds that the Hawaii brownfields cleanup revolving loan fund may be used for loans and sub-grants to eligible entities for brownfields site assessment activities, sampling, and related activities in addition to cleanup activities, as per a closeout agreement between the United States Environmental Protection Agency and the State. However, the existing loan fund authority strictly limits use of revolving loan funds to loans and cleanup activities. Expanding the loan fund authority to enable sub-grants for cleanups, environmental site assessments, and related activities will allow for greater use of the grant funds for eligible brownfields projects and facilitate redevelopment of lands that are underutilized due to perceived or real contamination.

Your Committee has amended this measure by:

- (1) Specifying the purpose of the measure in the findings section; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 900, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 900, H.D. 1, and be referred to your Committee on Economic Development.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Tokioka).

SCRep. 58 Agriculture on H.B. No. 702

The purpose of this measure is to create a limited procurement exemption system for the purchase of goods and services by the Department of Education related to the administration of food programs at public schools that incorporate a geographic preference for unprocessed locally grown and locally raised food

products.

Your Committee received testimony in support of this measure from the Hawaii Farm Bureau; Hawaii Food Industry Association; Hawaii Primary Care Association; Ulupono Initiative; Center for Getting Things Started; Hawaii Cattlemen's Council, Inc.; Hawaii Alliance for Progressive Action; Hawaii Meats, LLC; Land Use Research Foundation of Hawaii; Blue Zones Project; Environmental Caucus of the Democratic Party of Hawaii; Local Food Coalition; FoodCorps Hawaii; Ka Ohana O Na Pua; Kauai Women's Caucus; Civil Impact LLC; Hawaii SEED; Farm to School Hui; and numerous individuals. Your Committee received testimony in opposition to this measure from the State Procurement Office. Your Committee received comments on this measure from the Department of Agriculture and Department of Education.

Your Committee finds that geographic preference can play a major role in increasing student meal participation, supporting healthy lifestyles, and connecting students to local food. Your Committee further finds that sourcing food from farmers in Hawaii can also help provide fresher, more nutritious options at a lower cost and with greater efficiency. The geographic preference for local food proposed by the measure will also encourage greater incorporation of local agricultural products into state-run institutional food programs.

Your Committee has amended this measure by:

- (1) Removing the limited procurement exemption;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 702, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 702, H.D. 1, and be referred to your Committee on Education.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Tokioka).

SCRep. 59 Agriculture on H.B. No. 767

The purpose of this measure is to support the Hawaii Farm to School Program by moving the program from the Department of Agriculture to the Department of Education and establishing a programmatic goal that at least thirty percent of food served in public schools be locally sourced by 2030.

Your Committee received testimony in support of this measure from the Department of Education; Hawaii Primary Care Association; Center for Getting Things Started; FoodCorps Hawaii; Hawaii Alliance for Progressive Action; Hawaii Meats, LLC; Civil Impact LLC; Ulupono Initiative; Land Use Research Foundation of Hawaii; Blue Zones Project; Greenhouse Island Coffee; Environmental Caucus of the Democratic Party of Hawaii; Hawaii Farm Bureau; God's Country Waimanalo; Hawaii Cattlemen's Council, Inc.; and numerous individuals. Your Committee received comments on this measure from the Department of Agriculture and one individual.

Your Committee finds that a key reason for the creation of the Hawaii Farm To School Program in 2015 was to improve the health of the State's keiki by encouraging the consumption of fresh, locally grown foods, both for their nutritional content and to promote healthy behaviors at an early age. Your Committee further finds that the Farm to School Coordinator position in this measure has existed at the Department of Education since 2018.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 767, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 767, H.D. 1, and be referred to your Committee on Education.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Tokioka).

SCRep. 60 Agriculture on H.B. No. 461

The purpose of this measure is to protect Hawaii's coffee industry by:

- (1) Expanding the coffee labeling and advertising requirements to include ready-to-drink coffee beverages and inner wrapping labels given to customers;
- (2) Requiring disclosure on the label of coffee blends of the respective geographic and regional origins and percent by weight of the blended coffees;
- (3) Making it a violation of the coffee labeling law to use a geographic origin in labeling or advertising for roasted coffee, instant coffee, or ready to drink coffee beverages that contain less than a certain percentage of coffee by weight from that geographic origin, phased in to a minimum of fifty-one percent; and
- (4) Prohibiting use of the term "All Hawaiian" in labeling or advertising for roasted coffee, instant coffee, or ready to drink coffee beverages not produced entirely from green coffee beans grown and processed in Hawaii.

Your Committee received testimony in support of this measure from Hawaii's Thousand Friends, Kona Coffee Farmers Association, Lions Gate Farms, Monk's Delight Kona Coffee, Hawaii Farmers Union United, Kona Perfect, Absolute Palate LLC, Konaloha Farms, Rancho Aloha, Cassandra Farms, and eight individuals. Your Committee received testimony in opposition to this measure from the Hawaii Food Industry Association; Hawaii Coffee Company; Maui Coffee Association; Hawaii Teamsters & Allied Workers, Local 996; and 7-Eleven Hawaii. Your Committee received comments on this measure from the Department of Agriculture and Hawaii Coffee Association.

Your Committee finds that it is important for the State to balance the protection of its distinctive, premium brand of coffee while with the need to maintain the affordability of and consumer access to Hawaii-grown coffee.

Your Committee has amended this measure by:

- (1) Deleting all references to "ready-to-drink coffee beverages";
- (2) Removing the requirement that coffees not grown in Hawaii must be labeled with the regional origins of the various foreign-grown coffees;
- (3) Removing the graduated requirement under the coffee labeling law that Hawaii-grown coffee must eventually comprise at least fifty-one percent by weight of roasted coffee or coffee beverages in order to be identified as such in any labeling or advertising;

- (4) Making unspecified the percentage of coffee by weight that a package of roasted or instant coffee must contain for geographic-origin labeling, trademark, and geographic-origin trademark purposes;
- (5) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 461, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 461, H.D. 1, and be referred to your Committee on Economic Development.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Tokioaka).

SCRep. 61 Agriculture on H.B. No. 681

The purpose of this measure is to establish linked investments to provide loans for agriculture and authorize the Director of Finance to commit no more than \$5,000,000 of certain monies available in the state treasury for the creation of linked investments through agreements with eligible lending institutions.

Your Committee received testimony in support of this measure from the Hawaii Farm Bureau and one individual. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Agriculture.

Your Committee finds that the cost of operating a farm or ranch in Hawaii can be significant, and in many cases, agricultural operations require capital that local farmers lack. Operating capital may be difficult to obtain using traditional methods of financing. Your Committee further finds that linked investments can provide an alternative loan program for farmers to increase their production.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 681, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 681, H.D. 1, and be referred to your Committee on Economic Development.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Tokioaka).

SCRep. 62 Judiciary & Hawaiian Affairs on H.B. No. 356

The purpose of this measure is to require meetings of the Judicial Council to be open to the public.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Judiciary, Hawaii State Ethics Commission, and Common Cause Hawaii.

Your Committee finds that one of the Judicial Council's primary functions is to select nominees for the Campaign Spending Commission and State Ethics Commission. To promote open discussion among Judicial Council members and protect the privacy of nominees, your Committee believes that deliberations for the selection of nominees for these commissions should not be open to the public.

Your Committee has amended this measure by:

- (1) Requiring the Judicial Council's deliberations for the selection of nominees for the Campaign Spending Commission and State Ethics Commission to be closed to the public; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 356, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 356, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Tokioaka).

SCRep. 63 Corrections, Military, & Veterans on H.B. No. 958

The purpose of this measure is to amend the minimum eligibility requirements for appointment to the position of Adjutant General to a person who:

- (1) Holds or has held a commission of the rank of Colonel in the military with a grade of 06 or above or its equivalent;
- (2) Has served as a commissioned officer in one or more certain Army or Air Force components for at least ten years; and
- (3) Has no administrative actions preventing promotion to the rank of a General Officer in the military with a grade of 07 or 08.

Your Committee received testimony in support of this measure from the Department of Defense.

Your Committee finds that the position of Adjutant General serves as the Director of Hawaii Emergency Management and oversees the Hawaii Emergency Management Agency. These responsibilities require strategic thinking and quick and decisive coordination of various agencies, including mobilization of forces in advance of and during actual emergencies.

Your Committee further finds that the position of Adjutant General requires a person with sufficient military education and experience to make operational decisions, maintain credibility with national and international counterparts, and provide leadership in times of natural or manmade disaster. The rank of Major, which would currently qualify a person for the position of Adjutant General, can be attained by someone with approximately ten years less of education and experience than a person holding the rank of Colonel. Increasing the minimum eligibility requirements for the position through this measure provides greater assurance that the role will be filled by a qualified candidate.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3050, to encourage further discussion; and

- (2) 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 958, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 958, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 64 Corrections, Military, & Veterans on H.B. No. 959

The purpose of this measure is to authorize the payment of an allowance for Tricare Reserve Select or other government-funded premium payments to officers, warrant officers, or enlisted personnel of the Hawaii National Guard under certain circumstances.

Your Committee received testimony in support of this measure from the Department of Defense.

Your Committee finds that this measure would authorize the Hawaii National Guard to provide health insurance coverage for personnel called to active duty in the service of the State. Absent such authorization, when these service members are activated for more than thirty days, most would have no medical insurance for routine medical care.

Your Committee notes that this measure does not utilize general funds but rather, will use monies from the Major Disaster Fund.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3050, to encourage further discussion; and
- (2) 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 959, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 959, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 65 Corrections, Military, & Veterans on H.B. No. 391

The purpose of this measure is to establish a process for the early termination of a rental agreement for certain active duty servicemembers who:

- (1) Receive military orders to vacate civilian housing and move into on-post government quarters;
- (2) Become eligible to live in on-post government quarters and failure to move into on-post government quarters will result in a forfeiture of the basic allowance for housing; or
- (3) Die while serving on active duty.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii and four individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that servicemembers can lose their housing allowance when they get divorced, no longer have dependents, or do not have physical custody of children. In this event, servicemembers will be required to move into barracks regardless of any valid lease to which they are a party. Your Committee further finds that this measure will help to ensure that servicemembers will not have to face evictions or serious financial hardship if they are no longer eligible for a basic housing allowance and need to terminate a residential lease for off-post housing.

Your Committee has amended this measure by:

- (1) Making conforming amendments to allow the protections to apply equally to the terminating servicemember tenant and the terminating servicemember tenant's family member, as applicable;
- (2) Adjusting the definition of "servicemember tenant" to clarify that the member is a party to a rental agreement;
- (3) Changing the effective date to July 1, 3050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 391, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 391, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 66 Energy & Environmental Protection on H.B. No. 433

The purpose of this measure is to:

- (1) Assess a climate change mitigation impact fee on every customer who rents, leases, or utilizes a rental motor vehicle;
- (2) Establish the climate change mitigation special fund; and
- (3) Designates the uses for the impact fees.

Your Committee received testimony in support of this measure from the Hawaii Climate Change Mitigation and Adaptation Commission; The Trust for Public Land; Surfrider Foundation, O'ahu Chapter; Imua Alliance; Climate Protectors Coalition; Kupu; Hawaii Electric Vehicle Association; Blue Planet Foundation; Hawai'i Alliance for Community-Based Economic Development; and twelve individuals. Your Committee received testimony in opposition to this measure from Avis Budget Group, Enterprise Holdings, and Maui Chamber of Commerce. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Transportation, Department of Health, Office of Planning, and Tax Foundation of Hawaii.

Your Committee finds that the impacts of cars, buses, shuttles, and other road vehicles, which emit carbon dioxide and other greenhouse gases, contribute to climate change. To ensure the quality of life of residents, the health of the environment, and continued value for the visitor experience, management efforts

to maintain the State's infrastructure and environment are imperative. This measure establishes a fee with an environmental focus that is designed to manage the impacts of tourism on climate change and the environment as an integral part of the State's management efforts.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 433, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 433, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Tokioka).

SCRep. 67 Energy & Environmental Protection on H.B. No. 1141

The purpose of this measure is to:

- (1) Establish a rental motor vehicle emissions surcharge tax on rental motor vehicles with internal combustion engines; and
- (2) Set requirements for rental motor vehicle lessors operating in Hawaii to expedite the incorporation of zero-emission vehicles in their fleets.

Your Committee received testimony in support of this measure from the Climate Protectors Coalition, Imua Alliance, Ulu pono Initiative, Our Revolution Hawaii, 350Hawaii, Hawaii Electric Vehicle Association, Blue Planet Foundation, Weedrivetesa, and seven individuals. Your Committee received testimony in opposition to this measure from Avis Budget Group and Enterprise Holdings. Your Committee received comments on this measure from the Department of Taxation and Hawaii State Energy Office.

Your Committee finds that zero-emission vehicles, such as electric vehicles, play an integral role in Hawaii's clean energy future. Electric vehicles are much less expensive to power per mile than their gasoline counterparts and, by using stored electrical energy, they can take advantage of intermittent solar, wind, and other clean energy resources. This measure transitions rental motor vehicle fleets to zero-emission vehicles, which would significantly reduce carbon emissions, increase the number of zero-emission vehicles entering the secondary market, and demonstrate to all who visit the State that Hawaii is a leader in clean energy and sustainable transportation.

Your Committee has amended this measure by:

- (1) Specifying that all monies received from rental motor vehicle emissions surcharge shall be deposited into the Public Utilities Commission Special Fund, rather than the Energy Security Special Fund;
- (2) Deleting provisions that would have required all lessors of rental motor vehicles in the State to incorporate zero-emission light duty passenger vehicles into one hundred percent of their rental motor vehicle fleet by July 1, 2035;
- (3) Inserting provisions that offer a rebate to transient accommodations with at least fifty parking stalls if they install an alternating current Level 2 station with two or more ports or a direct current fast charging system;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1141, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1141, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Tokioka).

SCRep. 68 Energy & Environmental Protection on H.B. No. 1143

The purpose of this measure is to:

- (1) Amend the definition of "renewable portfolio standard" for electric utility companies to be a percentage of electrical energy generation, rather than sales;
- (2) Define a renewable portfolio standard for gas utility companies; and
- (3) Require gas utility companies to establish renewable energy portfolio standards and provide a means for gas utility companies to achieve the renewable energy portfolio standards.

Your Committee received testimony in support of this measure from the Climate Protectors Coalition, Ulu pono Initiative, Our Revolution Hawaii, 350Hawaii, Blue Planet Foundation, The Coalition for Renewable Natural Gas, and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Bioeconomy Trade Organization. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs; Hawaii State Energy Office; Public Utilities Commission; Chamber of Commerce Hawaii; Hawaiian Electric Company, Inc.; Hawai'i Gas; and Sierra Club of Hawai'i.

Your Committee finds that it is important that all relevant entities are aligned in the goal of achieving one hundred percent renewable energy. Requiring electric utilities, but not gas utilities, to increase their reliance on renewable energy creates an unfair playing field that may unintentionally harm consumers by promoting suboptimal long-lived investments in fossil fuels through gas-fired distributed electrical generation. This measure addresses this issue by exploring the implementation of establishing renewable portfolio standards for gas utilities as the State progresses toward its renewable energy goals.

Your Committee has amended this measure by:

- (1) Deleting provisions that defined a renewable portfolio standard for gas utility companies and would have required gas utility companies to establish renewable energy portfolio standards;
- (2) Inserting language that establishes an unspecified renewable portfolio standard goal for gas utility companies by December 31, 2025;
- (3) Inserting language that directs the Public Utilities Commission to open a formal proceeding to examine questions surrounding the establishment of a gas renewable portfolio standard;

- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1143, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1143, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Tokioka).

SCRep. 69 Agriculture on H.B. No. 443

The purpose of this measure is to require the Department of Education to conduct a comprehensive cost analysis of the department's food services and student meal programs, including increasing the use of locally grown agricultural products and reducing reliance on imported agricultural products and other food imports.

Your Committee received testimony in support of this measure from the Hawaii Farm Bureau; Hawaii Primary Care Association; Hawaii Cattlemen's Council, Inc.; Ulupono Initiative; Land Use Research Foundation of Hawaii; Blue Zones Project; Local Food Coalition; Hawaii SEED; Ka Ohana O Na Pua; Hawaii Farmers Union United Kona Chapter; Kahana Foundation; and numerous individuals. Your Committee received comments on this measure from the Department of Education and Department of Agriculture.

Your Committee finds that this measure would help invest in the health of Hawaii's children by providing nutritious, locally-grown food in schools and augment the State's food security and self-sufficiency by reducing its reliance on imported agricultural products.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 443 and recommends that it pass Second Reading and be referred to your Committee on Education.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 70 Agriculture on H.B. No. 549

The purpose of this measure is to transfer the oversight and regulation of the State's Measurement Standards Branch from the Department of Agriculture to the Department of Commerce and Consumer Affairs.

Your Committee received testimony in opposition to this measure from the Department of Commerce and Consumer Affairs. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that throughout the United States and many other nations, measurement standards programs, also known as weights and measures programs, provide a uniform means to conduct commerce in a manner that protects consumers from fraud and misrepresentation and is fair to all parties involved. Accordingly, the proper home of the State's Measurement Standards Branch should lie with the Department of Commerce and Consumer Affairs.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 549 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 71 Agriculture on H.B. No. 871

The purpose of this measure is to support and promote agriculture in the State, specifically on lands under the jurisdiction of the Department of Agriculture, by establishing a new agricultural enterprise program.

Your Committee received testimony in support of this measure from the Department of Agriculture; University of Hawaii System; East Oahu County Farm Bureau; Hawaii Farm Bureau; Hawaii Cattlemen's Council; Hawaii Agriculture Research Center; Hawaii Food Products; Ponoholo Ranch Limited; Seymour Resources Hawaii; Ulupono Initiative; Kalera; Maui County Farm Bureau; Hawaii Aquaculture and Aquaponics Association; Land Use Research Foundation of Hawaii; Ag Matters, LLC; Ulupalakua Ranch; Hawaii Crop Improvement Association; Local Food Coalition; Scott E. Enright, Company LLC; GreenWheel Food Hub; and three individuals.

Your Committee finds that while the production of crops and organisms on agricultural park and non-agricultural park lands under the jurisdiction of the Department of Agriculture are promoted and allowed, existing law does not explicitly allow ancillary and other activities related to and supportive of agriculture. This measure clarifies that ancillary and other related activities supporting agriculture are encouraged on all Department lands, which will give the Department greater flexibility on agricultural leases to help further develop Hawaii's agriculture industry and ensure the Department can fulfill its statewide goals and objectives.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 871 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 72 Agriculture on H.B. No. 1088

The purpose of this measure is to prohibit manufacturers from selling cosmetic products that are tested on animals, beginning on January 1, 2022.

Your Committee received testimony in support of this measure from the Hawaiian Humane Society, Animal Rights Hawaii, The Humane Society of the United States, National Anti-Vivisection Society, Cruelty Free International, The Body Shop, Personal Care Products Council, O'o Hawaii, Pure Mana Hawaii, Kahana Foundation, Ao Organics Hawaii, and three individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii.

Your Committee finds that modern cosmetic safety testing standards and practices no longer require the use of animals. These new testing methods are also more reliable, efficient, and effective. Your Committee further finds that this measure strikes a balance between a complete ban and limited exceptions to the animal testing prohibition, which exceptions recognize the realities of chemical testing commonly done around the globe.

Your Committee has amended this measure by:

- (1) Prohibiting animal testing for cosmetics that was conducted in a cruel manner, as identified in section 711-1108.5(1)(a), relating to cruelty to animals in the first degree;
- (2) Changing its effective date to January 1, 2024; and
- (3) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1088, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1088, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 73 Agriculture on H.B. No. 1356

The purpose of this measure is to promote native Hawaiian customary and traditional practices through subsistence farming by:

- (1) Clarifying that "customary and traditional subsistence farming" is a protected activity under the Hawaii Right to Farm Act;
- (2) Establishing that the cultivation of crops and activities related to game, fish, and livestock on agricultural lands may be for economic use or "customary and traditional subsistence farming"; and
- (3) Adding to the economic objectives and policies for agriculture in the Hawaii State Planning Act a new policy to assure the right of native Hawaiian cultural practitioners to engage in customary and traditional subsistence farming for direct personal or family consumption.

Your Committee received testimony in support of this measure from Koa Ike and two individuals. Your Committee received comments on this measure from the Department of Agriculture and Office of Planning.

Your Committee finds that promoting and protecting customary and traditional subsistence farming by native Hawaiian cultural practitioners is an important goal for the State.

Your Committee has amended this measure by 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1356, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1356, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 74 Economic Development on H.B. No. 683

The purpose of this measure is to:

- (1) Establish the Sustainable Aviation Fuel Program to provide matching grants to any small business in Hawaii that is developing products related to sustainable aviation fuel or greenhouse gas reduction from commercial aviation operations; and
- (2) Specify that monies for the program are from legislative appropriations out of the Environmental Response, Energy, and Food Security Tax.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received comments on this measure from the Department of the Attorney General, Office of Planning, Hawaii State Energy Office, and Hawaii Technology Development Corporation.

Your Committee finds that greenhouse gas emissions from air travel have historically been one of the largest sources of Hawaii's greenhouse gas emissions. This measure positions the State to continue to be a leader in the promotion of sustainable aviation fuels by providing opportunities for greenhouse gas reduction in aviation operations and the development of sustainable aviation fuels.

Your Committee has amended this measure by:

- (1) Clarifying that the monies necessary for the Sustainable Aviation Fuel Program may, rather than are required to, be appropriated by the Legislature from the Environmental Response, Energy, and Food Security Tax revenues;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 683, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 683, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 75 Transportation on H.B. No. 160

The purpose of this measure is to subject U-drive motor vehicles to the same motor vehicle registration fees as other motor vehicles.

Your Committee received testimony in support of this measure from one member of the Kauai County Council and the Hawaii State Association of Counties.

Your Committee finds that under existing law the registration fee for U-drive motor vehicles, or rental motor vehicles, is less than all other motor vehicles. Your Committee believes the existing registration fee for rental motor vehicles does not equally reflect the actual amount rental motor vehicles use the State's roadways. This measure will create a more equitable application of the motor vehicle registration fee to all types of motor vehicles.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 160, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 160, H.D. 1, and

be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 76 Transportation on H.B. No. 159

The purpose of this measure is to:

- (1) Require a motor vehicle transferor, or their representative, and transferee to appear in person to execute the transfer of a motor vehicle; and
- (2) Subject motor vehicle transferors to certain fees previously assessed on motor vehicle transferees.

Your Committee received testimony in support of this measure from the City and County of Honolulu Department of Customer Services, Hawaii State Association of Counties, one member of The Kauai County Council, and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Insurers Council; Insurance Auto Auctions, Inc.; Copart, Inc.; and American Property Casualty Insurance Association. Your Committee received comments on this measure from Enterprise Holdings.

Your Committee finds that buyers and sellers of used motor vehicles often provide false, illegible, or unusable contact information, which causes discrepancies in records kept by the counties as some motor vehicle registration records do not match the actual owner of the motor vehicle. This measure will assist the counties in keeping accurate and current records of vehicle transfers.

Your Committee notes the numerous testifiers who have expressed their concerns that for certain companies, such as insurance and motor vehicle rental companies, this measure would create an inefficient and unrealistic burden on companies who sell a large quantity of motor vehicles.

Accordingly, your Committee has amended this measure by:

- (1) Providing for exceptions to the requirement of appearing in person before a clerk at a county department of motor vehicle for certain entities;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 159, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 159, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 77 Transportation on H.B. No. 161

The purpose of this measure is to authorize the director of finance of a county to require payment of outstanding charges owed to the county for the towing, removal, or disposal of an abandoned or derelict vehicle before issuing a motor vehicle certificate of registration.

Your Committee received testimony in support of this measure from the Hawaii State Association of Counties and one member of Kauai County Council. Your Committee received comments on this measure from Enterprise Holdings.

Your Committee finds that the number of abandoned and derelict vehicles on the streets throughout the State remains a major issue. Your Committee further finds that the counties are often burdened with fronting the cost of towing and disposing abandoned and derelict vehicles, with no means to recoup these costs. Requiring the costs of towing and disposal to be paid as a condition precedent to registration of a vehicle will allow the counties to recoup these costs, thereby keeping the streets free from abandoned and derelict vehicles and not at the expense of taxpayers.

Your Committee notes that there are instances when a vehicle is stolen or taken without the permission or authorization of the registered owner. Your Committee recognizes that this measure would place an unwarranted burden on the registered owner when they are a victim of a crime and not at fault.

Accordingly, your Committee has amended this measure by:

- (1) Providing that a registered owner of a motor vehicle shall not be fined if the abandoned or derelict vehicle was stolen or taken without permission or authorization; and
- (2) 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 161, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 161, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 78 Transportation on H.B. No. 486

The purpose of this measure is to:

- (1) Specify that a government agency does not assume ownership or jurisdiction over a disputed road solely through maintenance or repair activities; and
- (2) Authorize the State to transfer ownership of roads in favor of counties by quitclaim if requested by the county.

Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that many roads in the State are dilapidated and currently remain unfixed due to unclear jurisdictional authority or ownership of those roads between the State and counties. This is causing a great deal of harm to residents as they are forced to drive over unmaintained roads, ultimately damaging their vehicles. This measure would allow a government agency to maintain or repair a road, without requiring that agency to claim jurisdiction or ownership of that road, thereby creating a better environment for residents to drive in.

Your Committee notes the testimony of the Department of Land and Natural Resources, which states that the current language in this measure may be too vague and subject to differing interpretations.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that any action taken by a government agency to maintain or repair a public street, road, or highway shall not be used to establish the agency's ownership of, or jurisdiction over, the public street, road, or highway; and
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 486, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 486, H.D. 1, and be referred to your Committee on Water & Land.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 79 Transportation on H.B. No. 1288

The purpose of this measure is to exclude non-voting ex-officio board members appointed by the President of the Senate and Speaker of the House of Representatives to the Board of Directors of the Honolulu Authority for Rapid Transportation from being counted for purposes of quorum.

Your Committee received testimony in support of this measure from three individuals.

Your Committee finds that the existing law regarding quorum requirements for the Board of the Honolulu Authority for Rapid Transportation has caused confusion as to what constitutes a quorum of members to act on an item. Currently, there are fourteen board members, but only nine of those members have voting authority. Your Committee finds that clarification is needed as to which members should be counted toward a quorum so that the Board of Directors can act on important issues facing the Board of Directors. This measure would make it clear that the two members appointed by the Speaker of the House of Representatives and President of the Senate do not count toward a quorum, thereby resolving any quorum and voting issues.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1288 and recommends that it pass Second Reading and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 80 Water & Land on H.B. No. 203

The purpose of this measure is to authorize the issuance of \$3,000,000 in general obligation bonds to fund the construction costs of a water storage and distribution system on agricultural lands owned by the Office of Hawaiian Affairs in Wahiawa, Oahu, surrounding the Kukaniloko birthing stones site.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Agribusiness Development Corporation, Hawaii Farm Bureau, Waialua Hawaiian Civic Club, Kupuna for the Mo'opuna, and ten individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the water storage and distribution system envisioned in this measure will enable the Office of Hawaiian Affairs to take a significant step forward in the development of its Wahiawa property and will advance diversified agriculture, food security, and cultural preservation in Central Oahu, thereby providing a model for sustainable agricultural development throughout the islands.

Your Committee has amended this measure by:

- (1) Blanking out the amount of general obligation bonds authorized;
- (2) Providing that the general obligation bonds can also be used to fund the construction costs of related improvements;
- (3) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As this measure moves through the legislative process, your Committee notes that \$3,000,000 in general obligation bonds has been requested for this project.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 203, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 203, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 81 Water & Land on H.B. No. 544

The purpose of this measure is to authorize the issuance of general obligation bonds and appropriate funds for a capital improvement project for the Department of Land and Natural Resources, to be expended by the University of Hawaii, to remove the Hoku Kea Telescope from the summit of Mauna Kea.

Your Committee received testimony in support of this measure from the University of Hawaii at Hilo. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that this measure aligns with the University of Hawaii at Hilo's plans, pursuant to the direction of the University of Hawaii Board of Regents, to decommission the Hoku Kea Telescope.

Your Committee notes the Department of Land and Natural Resources' testimony that the summit of Mauna Kea is under a general lease to the University of Hawaii, and the Department does not play a "pass through" role for the University on this matter. As such, it is appropriate to remove the Department of Land and Natural Resources from this measure.

Your Committee has amended this measure by:

- (1) Removing the reference to the Department of Land and Natural Resources;
- (2) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (3) Making a technical nonsubstantive amendment for the purpose of clarity, consistency, and style.

As this measure moves through the legislative process, your Committee notes that the University of Hawaii estimates that the removal of the Hoku Kea telescope will cost \$1,360,000. In addition, your Committee asks that consideration be given to using the decommissioned telescope as a teaching telescope

at Hale Pohaku.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 544, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 544, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 82 Water & Land on H.B. No. 1007

The purpose of this measure is to decriminalize traffic infractions within the Department of Land and Natural Resources' (Department) natural area reserves, game management areas, wildlife sanctuaries, and public hunting areas.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that Act 101, Session Laws of Hawaii 2008, decriminalized traffic violations within the Department's State Park System. This measure similarly decriminalizes traffic violations in lands managed by the Department's Division of Forestry and Wildlife.

Your Committee has amended this measure by:

- (1) Inserting a savings clause;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1007, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1007, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 83 Water & Land on H.B. No. 1012

The purpose of this measure is to authorize the Board of Land and Natural Resources (Board) to approve rental reductions or waivers for leases that require substantial demolition costs or infrastructure improvement costs in order for the lessee to utilize the premises.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that this measure seeks to authorize the Board to approve a rent reduction or waiver for up to twenty years that shall not exceed the amount of the lessee's total expenditures for demolition of improvements or provision of infrastructure. This measure is part of an effort by the Department of Land and Natural Resources to bring its leasing practices to commercially reasonable standards.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1012, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1012, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 84 Water & Land on H.B. No. 1016

The purpose of this measure is to:

- (1) Clarify that a valid commercial marine vessel license shall satisfy the commercial marine license requirement for all persons aboard a licensed vessel; and
- (2) Require any person providing fishing charter services to obtain a commercial marine license.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Ice Partners, LLC; POP Fishing and Marine; Vessel Management Associates, Inc.; United Fishing Agency; Hawaii Longline Association; and four individuals.

Your Committee finds that currently, each individual on a fishing vessel must have their own commercial marine license to participate in a commercial fishing trip. This requirement causes problems when part-time crew members are needed for a trip or visitors are invited on board. This measure would be more convenient and cost effective for Hawaii boat-based fishers by ensuring that everyone on board is covered under one license. This measure also clarifies that any person providing fishing charter services, whether vessel-based or shore-based, must first obtain a commercial marine license.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1016, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1016, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 85 Water & Land on H.B. No. 1018

The purpose of this measure is to authorize the Department of Land and Natural Resources (Department) to adopt rules for a lay net permit for the use or possession of lay nets, including reasonable fees and provisions for non-compliance with lay net rules.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and two individuals.

Your Committee finds that lay net violations are primarily fishery-related infractions that the Department investigates, and a lay net permit system would better regulate this type of fishing gear.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1018, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1018, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 86 Water & Land on H.B. No. 1020

The purpose of this measure is to authorize the Board of Land and Natural Resources to temporarily adopt, amend, and repeal certain natural resource rules by formal action at a publicly noticed meeting if the Board of Land and Natural Resources finds that such adoption, amendment, or repeal is necessary to effect adaptive natural resource management.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from one individual.

Your Committee finds that this measure provides the Department of Land and Natural Resources with an additional tool to quickly implement certain temporary adaptive management measures in response to rapidly changing resource conditions.

Your Committee has amended this measure by:

- (1) Retaining statutory language that gives the Department of Land and Natural Resources the ability to:
 - (A) Adopt, amend, and repeal wildlife rules concerning size limits, bag limits, open and closed seasons, and specifications of hunting gear which may be used or possessed; and
 - (B) Adopt, amend, and repeal aquatic-resources rules that include size limits, bag limits, open and closed fishing seasons, specifications and numbers of fishing or taking gear which may be used or possessed, and prescribing and limiting the kind and amount of bait that may be used in taking aquatic life;
- (2) Changing its effective date to January 1, 2050; and
- (3) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1020, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1020, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 87 Water & Land on H.B. No. 753

The purpose of this measure is to exclude housing developed by the Department of Hawaiian Home Lands from school impact fees.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that excluding housing developed by the Department of Hawaiian Home Lands from school impact fees could result in more homes being developed for its beneficiaries.

Your Committee has amended this measure by:

- (1) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 753, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 753, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 88 Water & Land on H.B. No. 1023

The purpose of this measure is to help the State identify and develop sustainable sources of funding to effectively manage its fisheries by establishing a nonresident recreational marine fishing license and associated fees.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that Hawaii's marine fishing opportunities attract thousands of visitors each year, from professional anglers who participate in big game fishing tournaments to weekend fishing enthusiasts seeking to enjoy their favorite recreational activity while on vacation. Hawaii residents pay taxes that support state fisheries management programs. In contrast, nonresident recreational fishers directly benefit from enjoyment of the State's marine fishery

resources without directly contributing to management of these valuable resources. This measure will provide an additional source of funding to protect these resources.

Your Committee has amended this measure by:

- (1) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1023, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1023, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 89 Water & Land on H.B. No. 1015

The purpose of this measure is to implement the water disposition process pursuant to section 171-58, Hawaii Revised Statutes, by clearly establishing that dispositions for the use of water by the Board of Land and Natural Resources are licenses for water, rather than the conveyance of any property right or interest in water via a lease.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Hawaii Farm Bureau. Your Committee received testimony in opposition to this measure from Maui Tomorrow Foundation, Inc.; Kauai Island Utility Cooperative; and two individuals. Your Committee received comments on this measure from the Department of Hawaiian Home Lands, Sierra Club of Hawai'i, and Wai'oli Valley Taro Hui.

Your Committee finds that the provisions of this measure will allow the Board of Land and Natural Resources to dispose of water in a more feasible and practicable manner.

Your Committee has amended this measure by:

- (1) Setting forth factors that may be considered in determining the fair market value for a license;
- (2) Providing that if a licensee disagrees with the fair market value for the license rental for water, the Board of Land and Natural Resources has sole discretion to resolve the dispute; provided that such resolution is consistent with the public trust doctrine;
- (3) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1015, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1015, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Morikawa). Noes, none. Excused, 1 (McDermott).

SCRep. 90 Pandemic & Disaster Preparedness on H.B. No. 103

The purpose of this measure is to:

- (1) Specify when a state of emergency proclamation shall terminate;
- (2) Authorize the Legislature, upon request by the Governor and adoption of a concurrent resolution, to extend or deny an extension of a state of emergency proclamation; and
- (3) Authorize a separate state of emergency proclamation by the Governor for a state of emergency arising from the same emergency or disaster as a previous proclamation that expired upon request of the Governor and adoption of a concurrent resolution by the Legislature.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association and four individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Common Cause Hawaii, Grassroot Institute of Hawaii, and one individual.

Your Committee finds that to address the coronavirus disease 2019 (COVID-19) pandemic, the Governor declared a state of emergency on March 4, 2020, and has since issued 17 supplemental proclamations extending the state of emergency and other restrictions. Your Committee believes that there needs to be more checks and balances in regard to the extension of emergency proclamations to ensure the welfare of the residents of the State. Your Committee further finds that the Governor appropriately took action to provide relief for damages to protect the health, safety, and welfare of residents by suspending certain laws. However, as the State enters the eleventh month of the pandemic, it brings into question the need to continuously suspend a variety of state laws.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the powers granted for emergency purposes shall not be inconsistent with the Hawaii State Constitution;
- (2) Providing that any suspension of law due to a state of emergency shall be no broader and for no longer than required for expeditious and efficient execution of emergency functions and any suspension of law shall identify the sections of law suspended, emergency function facilitated by the suspension, and sufficient explanation supporting the basis for the suspension;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 103, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 103, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 91 Pandemic & Disaster Preparedness on H.B. No. 273

The purpose of this measure is to authorize the Director of Transportation to adopt emergency rules to allow for license renewals to be completed by mail or online.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii Transportation Association, and one individual.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic has negatively impacted the way many residents proceed with their everyday life, including what was once the simple task of renewing a driver's license in person. The COVID-19 pandemic has stressed the importance of government being able to quickly and efficiently adapt to changing situations to ensure the continued provision of necessary public services.

Your Committee notes that according to testimony from the Department of Transportation, existing driver's license holders that intend to obtain a federal REAL ID compliant driver's license for the first time will not be eligible for online or mail-in renewal and that federal rule requires a person to take an in-person photo every sixteen years. Your Committee, therefore, requests that should your Committee on Judiciary and Hawaiian Affairs decide to hear this measure, it take the Department of Transportation's testimony into consideration.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 273, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 273, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 92 Pandemic & Disaster Preparedness on H.B. No. 726

The purpose of this measure is to:

- (1) Require every person in the State to wear a face covering when in a public setting, subject to certain exemptions; and
- (2) Establish a fine for failure to wear a face covering when required.

Your Committee received testimony in support of this measure from the Hawaii Lodging and Tourism Association, Hawai'i Pacific Health, The Queen's Health Systems, Hawai'i Community Foundation, and two individuals. Your Committee received testimony in opposition to this measure from ten individuals. Your Committee received comments on this measure from the Judiciary, Department of Health, Department of Commerce and Consumer Affairs, Hawaii Food Industry Association, Chamber of Commerce Hawaii, Hawaii Medical Service Association, and Hawaii Bankers Association.

Your Committee finds that the coronavirus disease 2019 (COVID-19) mainly spreads from person to person through respiratory droplets that travel into the air when a person coughs, sneezes, or talks. Face coverings act as a barrier to help prevent respiratory droplets from reaching others and studies have shown that masks reduce the spray of droplets when worn properly over the nose and mouth. Your Committee believes that mandating everyone to wear face coverings, in addition to other preventative measures, will slow the spread of COVID-19, thereby ensuring the health and safety of everyone in Hawaii and helping restore the economy.

Your Committee has amended this measure by:

- (1) Clarifying that a person violating the face covering mandate will be subject to a civil fine;
- (2) Specifying that the face covering mandate will be repealed on December 31, 2021, or on the date that the last emergency proclamation related to the COVID-19 emergency issued by the Governor expires, whichever is sooner;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 726, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 726, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 93 Pandemic & Disaster Preparedness on H.B. No. 539

The purpose of this measure is to establish a program within the Hawaii State Fusion Center to train, establish, and operate threat assessment teams.

Your Committee received testimony in support of this measure from the Department of Education and Hawaii Association of School Psychologists. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that having a team of individuals who can provide threat assessments for state agencies can help identify, assess, and manage potential threats before they occur. Creating a team of professionals from diverse sectors trained in threat assessment will encourage different information and perspectives that can help find solutions to manage threats. Your Committee believes that having a program that allows the State to take preemptive measures against threats can improve the State's ability to protect its residents and visitors.

Your Committee notes the testimony of the Office of Information Practices that the current placement of language regarding the exemption of certain personal records from disclosure may be better placed with the statute dealing with the specific records or programs that are being protected.

Accordingly, your Committee has amended this measure by:

- (1) Placing the language regarding an exemption from disclosure of records held by a government agency's threat assessment team or the Hawaii State Fusion Center in the newly created statute establishing the threat assessment teams, rather than in the Uniform Information Practices Act;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 539, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 539, H.D. 1, and be referred to your Committee on Higher Education & Technology.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 1 (Woodson).

SCRep. 94 Pandemic & Disaster Preparedness on H.B. No. 953

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

Your Committee received testimony in support of this measure from the Hawaii Emergency Management Agency and Hawaii State Energy Office.

Your Committee finds that the Hawaii Emergency Management Agency has nearly exhausted its funding to support the management and implementation of hazardous mitigation projects. There are various projects to mitigate situations that are deemed hazardous that require immediate action. However, these necessary projects will not be possible without proper funding. This measure will ensure the continuation of hazardous mitigation projects and expand the program by establishing the Hazard Mitigation Special Fund.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 953, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 953, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 1 (Woodson).

SCRep. 95 Pandemic & Disaster Preparedness/Economic Development on H.B. No. 724

The purpose of this measure is to prohibit the application of travel restrictions implemented during a state of emergency or local state of emergency to essential workers, unless the application of the travel restriction was approved by the Governor.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office; Hawaii Primary Care Association; Matson Navigation Company, Inc.; Hawai'i Farm Bureau; and Hawaii Medical Service Association. Your Committees received comments on this measure from the Hawaii Emergency Management Agency.

Your Committees find that ensuring that essential workers have the ability to travel without restriction to perform their jobs safely is critical to the State's ability to maintain the operation of critical infrastructure and community lifelines. Essential workers are required to be able to perform their jobs at any given notice and any type of travel restriction on essential workers would hinder their ability to provide necessary services to residents of the State. Your Committees recognize the efforts of all the workers in the State and note that there are several other categories that should be considered essential workers.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying that all health care workers, including those who work in public health, are considered essential workers for purposes of this measure;
- (2) Expanding the definition of "essential worker" to include workers in the energy, agricultural or food production, and commercial maritime sectors;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Pandemic & Disaster Preparedness and Economic Development that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 724, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 724, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chairs on behalf of the Committees.

Pandemic & Disaster Preparedness: Ayes, 9; Ayes with Reservations (Wildberger). Noes, none. Excused, none.

Economic Development: Ayes, 8. Noes, none. Excused, none.

SCRep. 96 Pandemic & Disaster Preparedness/Health, Human Services, & Homelessness on H.B. No. 473

The purpose of this measure is to authorize the establishment of a physician-patient relationship via a telehealth appointment if the physician is licensed in the State.

Your Committees received testimony in support of this measure from the Hawaii Health Systems Corporation, Hawaii Medical Board, Together For Our Keiki, Healthcare Association of Hawaii, The Queen's Health Systems, Hawaii Substance Abuse Coalition, Hawai'i Health and Harm Reduction Center, Adventist Health Castle, Kaiser Permanente Hawaii, AARP Hawai'i, Hawai'i Pacific Health, Hawaii Medical Association, Prime Care Services Hawaii, and three individuals.

Your Committees find that the coronavirus disease 2019 pandemic has caused a major shift in how patients receive care. Many patients are hesitant to make in-person visits and residents of rural areas may have more limited options on how to access care. Your Committees further find that the use of telehealth to diagnose and treat patients has seen a significant increase due to the pandemic. Telehealth provides a safe and easy way for patients to continue seeing their healthcare providers. Your Committees believe that having the flexibility to establish a physician-patient relationship through telehealth will increase access to care for residents in the State.

Your Committees have amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Pandemic & Disaster Preparedness and Health, Human Services, & Homelessness that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 473, as amended herein, and recommend that it pass

Second Reading in the form attached hereto as H.B. No. 473, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Pandemic & Disaster Preparedness: Ayes, 9. Noes, none. Excused, none.

Health, Human Services, & Homelessness: Ayes, 7. Noes, none. Excused, 1 (Gates).

SCRep. 97 Agriculture on H.B. No. 779

The purpose of this measure is to protect Hawaii from the harmful effects of pesticides by:

- (1) Requiring the Department of Agriculture, in consultation with the Department of Health, to develop and implement a pesticide disposal collection program to provide a one-time, affordable, and accessible means for bona fide agricultural entities to dispose of restricted use and nonrestricted use pesticides; and
- (2) Increasing the administrative and criminal penalties for violating the Hawaii pesticides law.

Your Committee received testimony in support of this measure from the Department of Agriculture; Department of Health; CropLife America; Hawaii Alliance for Progressive Action; Larry Jefts Farms, LLC; Hawaii SEED; and four individuals. Your Committee received comments on this measure from the Hawaii Pest Control Association, Hawaii Crop Improvement Association, and Hawaii Farm Bureau.

Your Committee finds that a pesticide disposal program for household pesticide products exists in most counties in the State, other than for commercial and certain other types of pesticide products. The disposal program proposed by this measure would benefit the health and well-being of residents and the environment by removing unused and unwanted pesticide products from the State.

Your Committee notes that the \$800,000 appropriation contained in the measure was received from a legal settlement with Monsanto Company.

Your Committee has amended this measure by:

- (1) Allowing licensed pest control operators to participate in the pesticide disposal collection program;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 779, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 779, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 98 Government Reform on H.B. No. 22

The purpose of this measure is to increase the amount of fines that may be assessed:

- (1) Against a noncandidate committee for violations of organizational report requirements; and
- (2) For violations of advertisement disclaimer requirements.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Campaign Spending Commission and Common Cause Hawaii.

Your Committee finds that this measure supports transparency around political elections and will improve accountability in the conduct of noncandidate committees during election campaigns.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 22, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 22, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 99 Government Reform on H.B. No. 140

The purpose of this measure is to clarify that increased fines may be assessed to a candidate committee or noncandidate committee if the candidate committee or noncandidate committee fail to timely file the preliminary primary report or preliminary general report that is due ten days before a primary or general election.

Your Committee received testimony in support of this measure from the Campaign Spending Commission and Common Cause Hawaii. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that this measure will improve the timely filing of reports by candidate committees and noncandidate committees to the Campaign Spending Commission, which is necessary for transparency and accountability in the election system.

Your Committee has amended this measure by:

- (1) Changing the number of days that a candidate committee or noncandidate committee must file its preliminary primary report or preliminary general report to the Campaign Spending Commission before a primary or general election to an unspecified number of days;
- (2) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Judiciary & Hawaiian Affairs, should it deliberate on this measure, to look at whether requiring

a candidate committee or noncandidate committee to file its preliminary primary or preliminary general report to the Campaign Spending Commission ten days before a primary or general election is too aggressive and as such may not be practical.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 140, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 140, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 100 Government Reform on H.B. No. 157

The purpose of this measure is to authorize any board, subject to the State's Sunshine Law to hold a closed executive meeting to consider statements and information obtained from witnesses or victims during the course of any investigation into the hire, evaluation, dismissal, or discipline of an officer or employee or of charges brought against the officer or employee, where consideration of matters affecting a witness's or victim's privacy will be involved.

Your Committee received testimony in support of this measure from the Office of the Mayor of the County of Maui. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that investigations by a government agency into the hire, evaluation, dismissal, or discipline of government officers or employees or charges against government officers or employees may involve victims and witnesses who are supervised by the government officer or employee being investigated or charged. This measure will encourage victims and other witnesses of misconduct by government officers and employees to testify before government agencies by protecting victims' and witnesses' privacy and reducing the fear of threats and retaliation.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 157, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 157, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 101 Government Reform on H.B. No. 331

The purpose of this measure is to improve the quality of life in the State by:

- (1) Establishing objectives, policies, and priority guidelines in the Hawaii State Planning Act to promote the use of green infrastructure, vegetation, and trees in state facility systems, infrastructure, and transit projects; and
- (2) Requiring the Office of Planning, in partnership with the Greenhouse Gas Sequestration Task Force, to report to the Legislature with recommendations for implementing the green infrastructure objectives, policies, and priority guidelines.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Office of Planning; Life of the Land; Our Revolution Hawaii; Trees for Honolulu's Future; Climate Protectors Coalition; Kauai Climate Action Coalition; Smart Trees Pacific; 350Hawaii.org; Painting Industry of Hawaii Labor Management Cooperation Trust Fund; Hawaii Tapers Market Recovery Trust Fund; Hawaii Glaziers, Architectural Metal Glassworkers Local Union 1889 AFL-CIO Stabilization Trust Fund; Carpet, Linoleum and Soft Tile Local Union 1926 Market Recovery Trust Fund; Democratic Environmental Impact Committee; Environmental Caucus of the Democratic Party of Hawaii; and nine individuals.

Your Committee finds that the effects of climate change have made implementing sustainable design concepts more critical, with each passing year seeing an increase in temperatures and other impacts from climate change. Your Committee further finds that the State's commitment to upholding the Paris Climate Accord and a progressive move toward a zero emissions clean economy by 2045 requires that Hawaii actively invest in reducing emissions and greenhouse gases. Your Committee believes that increasing the development and use of green infrastructure in the State, as proposed by this measure, will increase the quality of life for residents and visitors, provide critical ecosystem services for the State, and show the world that Hawaii is a leader in taking action toward a safe and sustainable climate and future.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Finance, should it deliberate on this measure, to look into the possibility of using federal funds to carry out the purposes of this measure.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 331, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 331, H.D. 1, and be referred to your Committee on Energy & Environmental Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 102 Government Reform on H.B. No. 516

The purpose of this measure is to promote electronics stewardship and reduce electronic waste in the State by requiring all persons who receive state financial assistance to donate unnecessary but functioning electronic devices to nonprofit organizations that will refurbish and distribute these devices to eligible persons in the State.

Your Committee received testimony in support of this measure from Hawaiian Hope Org and five individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Education, and Department of Accounting and General Services.

Your Committee finds that use of electronic devices has grown substantially over the past two decades, which has also led to a considerable amount of waste

in consumer electronics goods. While recycling of electronic devices prevents valuable materials from being wasted, prevention of waste in the first place is preferable to any waste management option. Your Committee further finds that access to devices and technology resources for low-income families and other populations in need of access is a long-standing issue, which has become more evident with the onset of the COVID-19 pandemic. This measure will promote electronic stewardship and reduce electronic waste in the State by keeping unnecessary but functioning electronic devices from being wasted and instead refurbishing those electronic devices for donation to those in need of the devices.

Your Committee has amended this measure by:

- (1) Clarifying that a covered refurbisher is an organization that is registered with the Business Registration Division of the Department of Commerce and Consumer Affairs;
- (2) Requiring a covered entity to remove data and any content that may be deemed inappropriate for persons under the age of eighteen from an excess electronic device prior to its transfer;
- (3) Clarifying that a covered refurbisher shall transfer title to and possession of a refurbished device to an eligible recipient at a price not to exceed \$50 per refurbished device; provided that enterprise level hardware that is refurbished may be priced at more than \$50;
- (4) Requiring the Department of Accounting and General Services to notify all covered entities of their new responsibilities under this measure;
- (5) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 516, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 516, H.D. 1, and be referred to your Committee on Higher Education & Technology.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 1 (Ward).

SCRep. 103 Government Reform on H.B. No. 526

The purpose of this measure is to:

- (1) Require the State Procurement Office to implement and administer a past performance database with regard to state contractors;
- (2) Appropriate funds for the design and implementation of the database;
- (3) Require the past performance of contractors' positive, negative, or lack of previous experience to be considered in bid selection of a contractor; and
- (4) Require departments to consider available assessments of previous performance on relevant and recent government and private contracts when making contract awards.

Your Committee received testimony in support of this measure from the Department of Transportation and one individual. Your Committee received testimony in opposition to this measure from the Department of Accounting and General Services. Your Committee received comments on this measure from the State Procurement Office and one individual.

Your Committee finds that the State's procurement process requires clear legislative direction to award contracts to responsible bidders or offerors to increase accountability, enhance performance, and utilize taxpayer dollars more efficiently. Your Committee further finds that currently, some state contracts may be awarded to the lowest bidder without regard to that bidder's poor past performance, which may lead to these bidders being considered qualified despite their poor past performance and result in repeated inefficiencies and substandard work. Your Committee believes consideration of past performance of a bidder will offer another level of consideration and diligence in evaluating responsibility, provide additional insight to positively impact the award selection, enhance quality performance, and efficiently and effectively utilize taxpayer dollars.

Your Committee has amended this measure by:

- (1) Deleting provisions requiring the State Procurement Office to implement and administer a past performance database with regard to state contractors, as efforts are already underway to address this issue in the Office's administrative rules;
- (2) Amending the purpose of the appropriation to be for the development and implementation of guidance and related implementation training for several tools relating to a past performance guide and past performance database, to be expended by the State Procurement Office;
- (3) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As this measure proceeds through the legislative process, your Committee respectfully requests consideration be given to appropriating \$164,000 to the State Procurement Office for the development and implementation of guidance and related implementation training for several tools relating to a past performance guide and past performance database.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 526, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 526, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 104 Government Reform on H.B. No. 656

The purpose of this measure is to exclude:

- (1) Communications on clothing and other attire associated with a candidate's candidate committee from the definition of "advertisement"; and
- (2) Clothing, other attire, yard signs, and sundry items and advertisements made by a candidate or candidate's candidate committee from electioneering communication reporting requirements.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Campaign Spending Commission and Common Cause Hawaii.

Your Committee recognizes the testimony on this measure by the Campaign Spending Commission, who raised in its testimony that articles of clothing are

not advertisements and are therefore not electioneering communications. The Campaign Spending Commission additionally testified that yard signs are also not electioneering communications because they are not "broadcast, from a cable, satellite, television, or radio broadcast station; published in any periodical or newspaper or by electronic means; or sent by mail at a bulk rate."

Your Committee has accordingly amended this measure by:

- (1) Deleting the provision excluding communications on clothing and other attire associated with a candidate's candidate committee from the definition of "advertisement";
- (2) Removing communication of a candidate's name on clothing, other attire, and yard signs from the exclusion provisions under the definition of "electioneering communication";
- (3) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Judiciary & Hawaiian Affairs, should it choose to deliberate on this measure, to examine the amendments made to this measure and the concerns raised by testifiers on the disclosure requirements for advertisements and electioneering communications.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 656, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 656, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 105 Government Reform on H.B. No. 1385

The purpose of this measure is to:

- (1) Implement certain recommendations made by the State Procurement Office's review of the Hawaii procurement laws in comparison with federal procurement laws conducted pursuant to House Resolution No. 142, Regular Session of 2016; and
- (2) Require the State Procurement Office to submit a report regarding the progress made on certain recommendations.

Your Committee received testimony in opposition to this measure from the Electrical Contractors Association of Hawaii, Plumbing and Mechanical Contractors Association of Hawaii, and Sheet Metal and Air Conditioning Contractors' National Association of Hawaii. Your Committee received comments on this measure from the State Procurement Office, Department of Accounting and General Services, Subcontractors Association of Hawaii, and General Contractors Association of Hawaii.

Your Committee finds that the purpose of the review in House Resolution No. 142, Regular Session of 2016, was to examine ways that the State could improve its procurement process by better understanding the efficient and effective ways in which the federal government conducts procurement. Your Committee notes the concerns raised by the State Procurement Office regarding the resources necessary to undertake the project proposed by this measure, including the need for minimum funding to develop, implement, and maintain a vendor performance tracking system. Your Committee also notes other concerns raised in testimony regarding implementation of consideration of past performance and the proposed amendment that would add the ability to negotiate with the low bidder in certain situations. Your Committee understands these concerns and believes this measure warrants further discussion.

Your Committee has amended this measure by:

- (1) Reverting to existing statutory language that ranks the selection criteria by importance for the procurement of design professionals;
- (2) Reverting to existing statutory language that requires general contractor bidders disclose the nature and scope of work expected to be performed by a subcontractor;
- (3) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1385, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1385, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Eli, Ward).

SCRep. 106 Higher Education & Technology on H.B. No. 569

The purpose of this measure is to expand the scope of who can be assisted by a victim counselor and broaden the role of a victim counselor to include a confidential advocate employed by the University of Hawaii.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Department of Human Services, Hawai'i State Commission on the Status of Women, Sex Abuse Treatment Center, Domestic Violence Action Center, and Hawai'i State Coalition Against Domestic Violence.

Your Committee finds that Act 208, Session Laws of Hawaii 2016, required the University of Hawaii to designate at each campus a confidential advocate for students to confidentially discuss incidents of, and obtain information on, sexual harassment, sexual assault, domestic violence, dating violence, stalking, and related issues. However, confidentiality that may be provided to University of Hawaii employees is limited due to provisions of Title VII of the Civil Rights Act of 1964. If a confidential advocate learns that the perpetrator of sexual harassment, sexual assault, domestic violence, dating violence, or stalking is an employee of the University, the information must be reported and cannot be kept confidential. This measure gives additional legal protections to information that victims share with University of Hawaii confidential advocates, thereby allowing victims to share more information in confidence and receive better support from the University.

Your Committee has amended this measure by:

- (1) Adding a severability clause;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 569, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 569, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 107 Higher Education & Technology on H.B. No. 389

The purpose of this measure is to require accredited and non-accredited post-secondary educational institutions that are for-profit entities to disclose in print and electronic media and signage that they are for-profit businesses registered in the State.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs' Office of Consumer Protection. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs' Hawaii Post-Secondary Education Authorization Program and one individual.

Your Committee finds that a May 2019 paper by the National Conference of State Legislatures indicates that whether enrolled in graduate or undergraduate programs, students attending for-profit institutions tend to have worse outcomes and struggle more with student debt and default compared to their counterparts attending traditional nonprofit public and private postsecondary institutions. Your Committee also finds that the motives, priorities, and tactics of for-profit colleges and universities can often make for-profit institutions particularly susceptible to deceptive recruiting practices, poor quality control, and the conferment of meaningless degrees. The status of these institutions as for-profit entities should be reflected in their advertisements so students and potential students are informed and aware of the status of these schools in pursuing their higher education opportunities.

Your Committee has amended this measure by:

- (1) Making the disclosure requirement apply to any for-profit post-secondary educational institution authorized in the State by the Hawaii Post-Secondary Education Authorization Program regardless of whether they are registered as a for-profit entity;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 389, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 389, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 108 Higher Education & Technology on H.B. No. 62

The purpose of this measure is to repeal or reclassify certain non-general funds of the University of Hawaii.

Your Committee received testimony in opposition to this measure from the University of Hawai'i System. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that the repeal and reclassification of the University of Hawaii non-general funds in this measure are pursuant to the recommendations in the February 2020 Auditor's report to the Governor and the Legislature, "Review of Special Funds, Revolving Funds, Trust Funds, and Trust Accounts of the University of Hawai'i" (Report No. 20-03).

Your Committee notes the testimony of the University of Hawaii that the administration of the Conference Center Revolving Fund should be updated to authorize the Chancellor of the University of Hilo to utilize the fund. Currently, the fund is statutorily administered by the College of Continuing Education and Community Service which no longer exists.

Your Committee has amended this measure by:

- (1) Retaining the University of Hawaii at Manoa Intercollegiate Athletics Special Fund;
- (2) Retaining the Conference Center Revolving Fund and transferring authority to expend funds to the Chancellor of the University of Hawaii at Hilo;
- (3) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 62, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 62, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 109 Higher Education & Technology on H.B. No. 63

The purpose of this measure to reclassify or abolish certain non-general funds of the Department of the Attorney General and repeal the University of Hawaii at Manoa Intercollegiate Athletics Special Fund and University of Hawaii at Hilo Intercollegiate Athletics Special Fund and transfer the remaining unencumbered balances in these funds to the general fund.

Your Committee received testimony in opposition to this measure from the University of Hawai'i System. Your Committee received comments on this measure from the Department of the Attorney General and Tax Foundation of Hawaii.

Your Committee finds that the repeal and reclassification of the University of Hawaii non-general funds in this measure are pursuant to the recommendations in the February 2020 Auditor's report to the Governor and the Legislature, "Review of Special Funds, Revolving Funds, Trust Funds, and Trust Accounts of the University of Hawai'i" (Report No. 20-03).

Your Committee notes the comments of the Department of the Attorney General on the lapse of funds in the National Mortgage Trust Account to the general fund and asks that your Committee on Judiciary & Hawaiian Affairs to address this should it decide to hear this measure.

Your Committee has amended this measure by:

- (1) Retaining the University of Hawaii at Manoa Intercollegiate Athletics Special Fund and the University of Hawaii at Hilo Intercollegiate Athletics Special Fund;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 63, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 63, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 110 Higher Education & Technology on H.B. No. 913

The purpose of this measure is to establish the Hawaii Broadband and Digital Equity Office within the Department of Business, Economic Development, and Tourism and a state broadband coordinator to develop and implement specific strategies and plans to aggressively increase broadband affordability, penetration, and competitive availability in the State.

Your Committee received testimony in support of this measure from the Department of Health; Department of Business, Economic Development, and Tourism; Department of Human Services; Office of Economic Revitalization of the City and County of Honolulu; Hawaii State Public Library System; University of Hawaii at Manoa John A. Burns School of Medicine; Maui County Workforce Development Board; Hawaii Primary Care Association; Transform Hawai'i Government; HawaiiKidsCAN; Hawaii Island Economic Development Board/Hawaii Leeward Planning; Rock Your Cause; Kaunalewa; O'ahu County Democrats Digital Equity Committee; Auamo Collaborative; Learning Bond; Oceanit; Hawaii Hope Org; Code.org; Tangent Systems; Kamehameha Schools; Economic Development Alliance of Hawai'i; Michaels Management; Crystal Clear Communications; Instant Teams; Hawaii Association of Independent Schools; Hawaii Dialogix Telecom, LLC; and thirteen individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and one individual.

Your Committee recognizes that the coronavirus pandemic has magnified the disparity among people and communities that have access to high-speed internet. It has become apparent that broadband and digital devices and broadband access are essential for teleworking, distance learning, communicating, and socializing, as well as accessing telehealth, e-commerce, and other services. A digital equity office can help bridge the digital divide by leading efforts to increase broadband affordability, penetration, and competitive availability in the State.

Your Committee has amended this measure by:

- (1) Requiring the Hawaii Broadband and Digital Equity Office to actively seek out funding from federal and other sources;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 913, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 913, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 111 Higher Education & Technology on H.B. No. 545

The purpose of this measure is to require the Department of Hawaiian Home Lands, with the assistance of the Office of Enterprise Technology Services, to digitize its beneficiary waiting lists and other related data by creating a digital database of its applicant, beneficiary, and lessee records and other relevant information.

Your Committee received testimony in support of this measure from Hawaii Financial Services, LLC; and two individuals. Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that while basic Department of Hawaiian Home Lands applicant waiting lists are available for download on its website, the exact details of each applicant, including whether the applicant has applied for multiple leases, been denied a prior lease, or been skipped over, is not readily accessible. Your Committee also notes that beneficiary records are spread across multiple locations. If a beneficiary seeks to determine their status, finding and gathering this information can take weeks. Your Committee further finds that compiling applicant information into a single database will help increase efficiency and reduce lease award abuse by lessees.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 545, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 545, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 112 Higher Education & Technology on H.B. No. 1312

The purpose of this measure is to require the University of Hawaii to include in certain employment contracts that address intellectual property rights, a condition requiring the employee to make a good faith effort to license or sell intellectual property to a farmer or other agricultural producer with its principal place of business in the State prior to licensing, selling, or attempting to license or sell the intellectual property to an entity with its principal place of business outside the State.

Your Committee received comments on this measure from the University of Hawaii College of Tropical Agriculture and Human Resources and Maui County Farm Bureau.

Your Committee finds that as research and innovation in the agriculture and food industries increase, an awareness of the benefits that the development of intellectual property can have locally has also increased. Your Committee recognizes the importance of intellectual property and intellectual property rights as they relate to research, development, and innovation at the University of Hawaii and your Committee believes the State should harness such intellectual property for the betterment of the agricultural industry in our State.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1312, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1312, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, 1 (Okimoto). Excused, none.

SCRep. 113 Transportation on H.B. No. 766

The purpose of this measure is to authorize the Department of Transportation to assess impact fees for the repair or renovation of an unsafe roadway that is used by the public.

Your Committee received testimony in support of this measure from the Department of Transportation and one individual.

Your Committee finds that the State's roadways are critical infrastructure that require proper maintenance to ensure the quality of life for the people of Hawaii. Unmaintained roadways can cause severe damage not only to vehicles, but to the driver, passengers, and anyone in the surrounding environment. Your Committee further finds that there are certain parts of privately owned roads that connect to State-owned highways that are unsafe and frequently used by the public. This measure will help the State maintain roadways, thereby improving the quality of life for residents and visitors of Hawaii.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Transportation may assess, impose, levy, and collect impact fees for a substantially dangerous roadway when the privately owned roadway connects to a state highway;
- (2) Authorizing the Department of Transportation to require the private roadway owner to address the issue causing the road to be substantially dangerous to the public;
- (3) Changing its effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 766, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 766, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 114 Transportation on H.B. No. 1055

The purpose of this measure is to:

- (1) Provide the Director of Transportation with any powers that may be necessary to carry out the Director's duties; and
- (2) Authorize the Director of Transportation to acquire real property for roads and streets, without review or approval by the Board of Land and Natural Resources.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that the Department of Transportation provides a critical network of highways and roads that serve the State's communities. Highway projects are typically set on a tight schedule as the State receives federal funding to support these projects, which have certain progress timeline requirements. This measure would remove any obstacles that delay the essential work needed for the State's highway system to remain operable and in good working condition by streamlining the process to acquire real property for roads and streets.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1055, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1055, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 115 Labor & Tourism on H.B. No. 914

The purpose of this measure is to provide an emergency appropriation in fiscal year 2020-2021 to the Hawaii Tourism Authority for programs and activities related to COVID-19 response.

Your Committee received testimony in support of this measure from the Hawaii Tourism Authority and Hawaii Lodging & Tourism Association.

Your Committee finds that the Hawaii Tourism Authority assisted with various COVID-19 related response efforts, including airport support, a call center to check on quarantined travelers, Hotels for Heroes, a web application for travelers to self-report and for data processing, and supplies. The Hawaii Tourism Authority has spent nearly \$3,000,000 on these missions to date, for which it has not been reimbursed by the State.

Your Committee also finds that the Hawaii Tourism Authority intends to use \$2,500,000 of the funding provided in this measure to implement branding

strategies in international markets to promote Hawaii as a safe destination. In addition, your Committee is informed that governmental entities have provided the Hawaii Convention Center with funding for the use of the facility, at cost, for unemployment insurance processing and contact tracing activities.

Your Committee has amended this measure by:

- (1) Removing language which earmarked \$3,000,000 of the appropriation to be used to reimburse the Hawaii Convention Center and \$2,500,000 to be used for costs related to restarting airlift from Asia and Oceania to Hawaii; and
- (2) 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 914, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 914, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 116 Labor & Tourism on H.B. No. 321

The purpose of this measure is to repeal the allocation of excess transient accommodations tax revenues that are going to the Turtle Bay Conservation Easement Special Fund, the Hawaiian Center and the Museum of Hawaiian Music and Dance, the counties, and the Special Land and Development Fund.

Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources and Mayor of the County of Maui. Your Committee received comments on this measure from the Department of Budget and Finance, Tax Foundation of Hawaii, and Kohala Coast Resort Association.

Your Committee finds that, as a result of the COVID-19 pandemic and related mitigation measures, as of September 2020, Hawaii has experienced a 71.7 percent decrease in the number of visitors by air compared to 2019. Your Committee further finds that the significant decrease in visitors to Hawaii has resulted in an extreme loss in revenues from the State's collection of transient accommodations tax. According to the Department of Business, Economic Development, and Tourism, transient accommodations tax revenues decreased by \$103,300,000 or 68.6 percent, in the second quarter of 2020 compared to the same quarter of 2019. Accordingly, your Committee finds that transient accommodations tax allocations should be adjusted.

Your Committee has amended this measure by:

- (1) Changing the allocations to the Convention Center Enterprise Special Fund and Tourism Special Fund to unspecified amounts;
- (2) Repealing the 0.5 per cent allocation for the Tourism Special Fund to provide funding for a safety and security budget; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance choose to hear this measure, your Committee notes that the allocation amounts previously authorized by statute for the Convention Center Enterprise Special Fund and the Tourism Special Fund are \$16,500,000 and \$79,000,000, respectively.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 321, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 321, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, 1 (Okimoto). Excused, 1 (Quinlan).

SCRep. 117 Housing on H.B. No. 77

The purpose of this measure is to exempt the sale of the leased fee interest in certain affordable leasehold developments by the Hawaii Housing Finance and Development Corporation from legislative approval.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Building Industry Association of Hawaii, and three individuals. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

Your Committee notes that the process of obtaining legislative approval of the sale of the leased fee interest in state-owned land is a costly and burdensome process that can take over a full calendar year to be approved. The exemption from legislative approval proposed by this measure facilitates a process that expedites the development of affordable housing in the State.

Your Committee has amended this measure by:

- (1) Requiring the Hawaii Housing Finance and Development Corporation to submit certain documentation to the Office of Hawaiian Affairs at least three months before the sale of a condominium unit or house lot by the Hawaii Housing Finance and Development Corporation without legislative approval;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 77, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 77, H.D. 1, and be referred to your Committee on Water & Land.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 118 Housing on H.B. No. 502

The purpose of this measure is to enable greater opportunities to provide for housing in the State by allowing the counties to adopt ordinances that allow for increased dwelling density in certain rural districts.

Your Committee received testimony in support of this measure from the Hawaii Association of REALTORS. Your Committee received comments on this measure from the Department of Agriculture and Office of Planning.

Your Committee finds that the State needs up to forty-six thousand housing units to meet demand by 2030. This measure allows the counties to adopt an ordinance to allow dwellings on each quarter-acre in rural districts, which will provide flexibility to the counties to address the State's housing shortage.

Your Committee has amended this measure by:

- (1) Specifying that any ordinance allowing one dwelling unit on each quarter-acre of land in the rural district shall ensure that each such dwelling be consistent with the applicable county general plan and community development plan;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 502, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 502, H.D. 1, and be referred to your Committee on Water & Land.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 119 Housing on H.B. No. 605

The purpose of this measure is to establish a housing savings account system, headed by the Housing Savings Account Board within the Department of Budget and Finance, that requires each employer in the State to offer its employees the opportunity to contribute to a housing savings account through payroll deduction to be used for down payments, mortgage payments, rent, and security deposits.

Your Committee received testimony in support of this measure from Faith Action HousingNOW! and one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Tax Foundation of Hawaii, and Hawaii Credit Union League.

While your Committee recognizes the merits of state programs aimed at addressing the costs of housing in the State, it also recognizes that the establishment of a housing savings account system requires careful assessment of the costs and benefits of such a program. Your Committee understands the concerns raised in Committee regarding the costs of staffing and operating such a system, as well as administrative and compliance considerations.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have established a housing savings account system and instead requiring the Legislative Reference Bureau to:
 - (A) Conduct a study on the establishment of a housing savings account system that would provide every employee in the State the ability to automatically contribute to a housing savings account through payroll deduction; and
 - (B) Submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2022;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 605, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 605, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 120 Housing on H.B. No. 981

The purpose of this measure is to prohibit discrimination, including in advertisements for rental property, in rental transactions based on participation in a housing assistance program or requirements related to participation in a housing assistance program.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Department of Human Services, Hawai'i State Commission on the Status of Women, Hawai'i Civil Rights Commission, Hawaii Public Housing Authority, League of Women Voters of Hawaii, Imua Alliance, American Civil Liberties Union of Hawai'i, Hawaii Children's Action Network Speaks!, Hawaii Appleseed Center for Law & Economic Justice, and Planned Parenthood Votes Northwest and Hawaii. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS and one individual.

Your Committee finds that studies have shown that when there are laws that prevent discrimination against renters with housing assistance vouchers, renters are more likely to find housing. In 2017, the American Bar Association adopted a resolution that urges federal, state, local, tribal, and territorial governments to enact legislation prohibiting discrimination in housing on the basis of lawful source of income. Your Committee further finds that the federal Fair Housing Act does not prohibit source of income discrimination; however, states and localities have passed laws that prohibit housing discrimination on the basis of source of income.

Your Committee encourages Hawaii Public Housing Authority to continue its efforts to streamline the tenancy application and approval process and work with the Hawai'i Association of REALTORS and landlord organizations to educate them on the processes involved in housing assistance programs. Your Committee also encourages the Hawaii Association of REALTORS and landlord organizations to increase the pre-approved list of landlords that will accept Section 8 and other permanent supportive housing program voucher recipients.

Your Committee has amended this measure by:

- (1) Amending the definition of "housing assistance program" to apply to the Section 8 Housing Choice Voucher Program or to any permanent supportive housing program;
- (2) Reducing the damages a court may order to a person who brings an action for unlawful discriminatory practice by a landlord to \$2,500;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 981, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 981, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (DeCoite). Noes, none. Excused, 1 (McDermott).

SCRep. 121 Agriculture on H.B. No. 1344

The purpose of this measure is to expand the use of agricultural land leases on Hawaiian home lands by:

- (1) Removing the acreage restrictions on leases of Hawaiian home lands for agricultural purposes; and
- (2) Specifying that the agricultural land leases shall be subject to the availability of suitable tracts of land and may be for either for-profit or non-profit purposes.

Your Committee received testimony in support of this measure from the Molokai Farm Bureau and four individuals. Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that the Hawaiian Homes Commission Act (HHCA) as originally enacted by Congress authorized the Hawaiian Homes Commission to lease not less than twenty nor more than eighty acres of agricultural lands. The HHCA currently authorizes the Department of Hawaiian Home Lands to lease no more than forty acres of agricultural lands.

Your Committee has amended this measure by clarifying that the availability of agricultural land leases for agricultural purposes shall depend on the priority of availability of suitable tracts of land to native Hawaiians.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1344, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1344, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 122 Agriculture on H.B. No. 1243

The purpose of this measure is to amend Act 14, Session Laws of Hawaii 2020 (Act 14), to:

- (1) Require hemp product labels to include:
 - (A) The product name;
 - (B) Ingredients;
 - (C) The name and business address of the hemp processor; and
 - (D) A warning that the product has not been evaluated by the Food and Drug Administration; and
- (2) Prohibit the sale, offer, or distribution for sale of hemp products to any individual under twenty-one years of age.

Your Committee received testimony in opposition to this measure from the Hawaii Hemp Farmers Association, Hawaii Royal Hemp, Hawaii Farmers Union United, Hawaiian Choice, and three individuals. Your Committee received comments on this measure from the Department of Health and Retail Merchants of Hawaii.

Your Committee finds that Act 14, was passed to allow the growth of hemp in the State through the United States Department of Agriculture's hemp production program as the state Department of Agriculture's industrial hemp pilot program was set to expire in June 2021. Timely passage of Act 14 was important to ensure continuation of existing hemp production operations. However, Act 14 does not completely address the manufacture of hemp products, an important next step to fully realize the Legislature's intent to allow the development of a legal and regulated hemp industry within the State.

Your Committee has amended this measure by:

- (1) Inserting a preamble;
- (2) Allowing and regulating the manufacture of certain hemp products in the State;
- (3) Clarifying the respective roles of persons growing hemp, processing hemp, and manufacturing hemp products;
- (4) Clarifying the distinction between processed hemp and hemp products;
- (5) Clarifying the purpose and function of the registry system;
- (6) Clarifying the scope of regulated hemp products and prohibitions;
- (7) Clarifying the Department of Agriculture's rulemaking and enforcement authorities;
- (8) Removing the sunset date of Act 14; and
- (9) 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1243, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1243, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Tokioaka, Matsumoto). Noes, none. Excused, none.

SCRep. 123 Pandemic & Disaster Preparedness on H.B. No. 574

The purpose of this measure is to:

- (1) Repeal language authorizing the Department of Education to retain federal disaster relief funds;
- (2) Shorten the time for reporting the purpose of any allotment or expenditure of major disaster funds;
- (3) Require federal disaster relief funds to lapse to the general fund if not expended within five years;
- (4) Repeal language requiring unspent funds to be rolled over to the next fiscal year; and
- (5) Require annual reports to be submitted to the Legislature on federal disaster relief funds.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed H.D. 1, which amends this measure by:

- (1) Amending the Major Disaster Fund to be a special fund and repealing language that deemed federal reimbursement money for disaster relief as trust monies; and
- (2) Requiring more information to be included in an annual report to the Legislature regarding the fund.

Your Committee received testimony in opposition to the proposed H.D. 1 from the Hawaii Emergency Management Agency. Your Committee received comments on the proposed H.D. 1 from the Department of Education.

Your Committee finds that the State has needed to utilize federal funding in order to effectively address the coronavirus disease 2019 pandemic (COVID-19). Existing law requires that any federal reimbursement monies be deemed trust monies and do not lapse to the general fund. Your Committee believes that to better address the COVID-19 pandemic, the State needs to be able to utilize all available monies to help the residents of the State.

Your Committee further finds that Act 139, Session Laws of Hawaii 2017, allowed the Department of Education to retain any federal reimbursements for disaster relief, regardless of whether the original appropriation had lapsed. While your Committee recognizes that when a department expends its funds to respond to a disaster it may be taking funds from current operating expenses, the years long delay in receiving federal reimbursement makes legislative appropriation and oversight important. Further, singling out one state department to treat its federal reimbursement differently does not support consistent state fiscal policy.

Your Committee has amended this measure by adopting the proposed H.D. 1 and further amending the measure by:

- (1) Codifying the establishment of the Major Disaster Fund as a special fund and making conforming amendments;
- (2) Specifying that the annual report to the Legislature shall be submitted no later than September 1 of each year;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 574, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 574, H.D. 1, and be referred to your Committee on Education.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Ward). Noes, none. Excused, 1 (Woodson).

SCRep. 124 Pandemic & Disaster Preparedness on H.B. No. 825

The purpose of this measure is to specify that the Governor has authority to assume control, use, or operate any state facility at no cost or requirement of compensation during a state of emergency.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that addressing the coronavirus pandemic remains a top priority for the State as it continues to negatively affect everyone worldwide. The State's response to the pandemic must be effective and efficient to ensure the health and safety of residents. The ability to scale up operations, such as processing unemployment insurance applications, in a short time is of vital importance. In addition, the ability of the State to freely use available state resources is imperative to ensuring the health, safety, and welfare of its residents and visitors. Your Committee believes that the State needs to be able to utilize all of its resources in order to effectively respond to the pandemic without further burden on taxpayers.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 825, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 825, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, 1 (Ward). Excused, none.

SCRep. 125 Pandemic & Disaster Preparedness on H.B. No. 765

The purpose of this measure is to appropriate funds for the Hawaii Emergency Management Agency to acquire mobile communications, water, and power service capabilities that can be deployed to each county as needed.

Your Committee received testimony in support of this measure from the Hawaii Emergency Management Agency, Mayor of the County of Maui, and two individuals.

Your Committee finds that the ability to quickly mobilize support across the State during an emergency is crucial to ensure the health, safety, and welfare of the State's residents and visitors. The Hawaii Emergency Management Agency is responsible for disaster response in the State, which includes anticipating trends and promoting innovations that will enhance the emergency management system for the State. Your Committee believes that the Hawaii Emergency Management Agency needs sufficient funding to ensure the availability of adequately equipped forces before, during, and after emergencies and disasters.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 765, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 765, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 1 (Woodson).

SCRep. 126 Pandemic & Disaster Preparedness/Economic Development on H.B. No. 1324

The purpose of this measure is to establish a commercial rent relief grant program for owners of properties classified as commercial, hotel and resort, or industrial under county real property tax classifications, under certain circumstances.

Your Committees received testimony in support of this measure from the Tanaka of Tokyo Restaurants; Blue Ginger; Joe's Grill Express; The Bar Method Honolulu; Hawaii Food Industry Association; Hawai'i Association of REALTORS; Chamber of Commerce Hawaii; Island Business Management, LLC; Eggs 'n Things; Oahu Coffee and Sodaworks, Inc. dba Morning Brew Cafe; NAIOP Hawaii Chapter; Akamai Foundation; Suzuki Properties, LLC; MW Group, Ltd.; Retail Merchants of Hawaii; and nine individuals. Your Committees received comments on this measure from the Department of Taxation.

Your Committees find that in order to mitigate the effects of the coronavirus disease 2019 (COVID-19) pandemic, the Governor proclaimed a state of emergency, which required many businesses to close down. The mandated closures, while necessary, have had a devastating impact on the local economy. Your Committees further find that due to these mandated closures, commercial landowners have also suffered financially due to unpaid rent or business closures. Your Committees recognize the efforts of commercial landowners who have tried to ease the financial burden placed on small businesses in the State by providing rent forgiveness to their tenants. Your Committees believe that commercial landowners who provided rent forgiveness to their tenants should be helped so that small businesses may continue to operate in the State.

Your Committees have amended this measure by:

- (1) Changing the administering agency for the commercial rent relief grant program from the Department of Taxation to the Department of Business, Economic Development, and Tourism;
- (2) Authorizing the Department of Taxation to share confidential tax information necessary to determine the eligibility for a grant with the Department of Business, Economic Development, and Tourism;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Pandemic & Disaster Preparedness and Economic Development that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1324, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1324, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Pandemic & Disaster Preparedness: Ayes, 9. Noes, none. Excused, none.

Economic Development: Ayes, 8. Noes, none. Excused, none.

SCRep. 127 Pandemic & Disaster Preparedness/Economic Development on H.B. No. 723

The purpose of this measure is to authorize the use of funds received from the Coronavirus Aid, Relief, and Economic Security Act for the purchase and distribution of personal protective equipment and industrial hygiene projects to state departments.

Your Committees received testimony in support of this measure from the Department of Health, Department of Budget and Finance, Department of Transportation, Department of Education, Hawaii Emergency Management Agency, State Procurement Office, Hawaii Health Systems Corporation, Hawaii Primary Care Association, and one individual.

Your Committees find that the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) provided necessary financial support to the State to help with purchasing essential goods, such as personal protective equipment. Your Committees note the importance of personal protective equipment in reducing the spread of the coronavirus and believes that industrial hygiene products also play an important role in addressing the pandemic. This measure will help combat the pandemic by allowing funds received through the CARES Act to purchase industrial hygiene products and include all state departments as eligible recipients of personal protective equipment and industrial hygiene products.

Your Committees note that when Senate Bill No. 126, S.D. 1, H.D. 1, C.D. 1, passed the Legislature, which later became Act 9, Session Laws of Hawaii 2020 (Act 9), it included an appropriation of \$100,000,000 to purchase and distribute personal protective equipment. However, prior to becoming Act 9, the Governor executed a line item veto to decrease the \$100,000,000 to \$61,000,000. This measure reflects the line item veto amount of \$61,000,000.

Your Committees have amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Pandemic & Disaster Preparedness and Economic Development that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 723, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 723, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Pandemic & Disaster Preparedness: Ayes, 9. Noes, none. Excused, none.

Economic Development: Ayes, 8. Noes, none. Excused, none.

SCRep. 128 Pandemic & Disaster Preparedness/Health, Human Services, & Homelessness on H.B. No. 1002

The purpose of this measure is to make an emergency appropriation to the Department of Health for the State of Hawaii COVID-19 vaccination plan.

Your Committees received testimony in support of this measure from the Department of Health and Hawaii Primary Care Association.

Your Committees find that the coronavirus disease 2019 (COVID-19) pandemic has devastated the world, taking more than 450,000 lives in the United States alone. However, the deployment of multiple vaccinations across the world has helped reduce the spread of the disease and saved many lives. Your Committees further find that the Department of Health will require significant logistical support to manage the rapid distribution and dispensing of COVID-19 vaccines. This measure will assist the Department of Health in providing the vaccines to residents of the State by providing necessary funds to implement a vaccination plan.

Your Committees have amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Pandemic & Disaster Preparedness and Health, Human Services, & Homelessness that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1002, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1002, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Pandemic & Disaster Preparedness: Ayes, 9. Noes, none. Excused, none.

Health, Human Services, & Homelessness: Ayes, 7. Noes, none. Excused, 1 (Gates).

SCRep. 129 Health, Human Services, & Homelessness on H.B. No. 680

The purpose of this measure is to include the use of traditional Hawaiian burial practices in the treatment and disposal of human remains, including the use of alkaline hydrolysis, water cremation, and natural organic reduction.

Your Committee received testimony in support of this measure from Aloha Mortuary; Fisher & Associates Consulting, LLC; and ten individuals. Your Committee received testimony in opposition to this measure from Hawaii Funeral & Cemetery Association, Inc.

Your Committee finds that traditional Hawaiian burial practices play a critical role in Hawaiian culture and are a cost effective and environmentally friendly alternative to modern treatments of human remains.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 680, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 680, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 130 Health, Human Services, & Homelessness on H.B. No. 306

The purpose of this measure is to:

- (1) Amend the definitions of "preceptor" and "volunteer-based supervised clinical training rotation" to improve accessibility for providers to receive income tax credits for acting as preceptors; and
- (2) Revise the membership of the Preceptor Credit Assurance Committee to include the Director of Health.

Your Committee received testimony in support of this measure from the Department of Health, Department of Taxation, University of Hawaii System, Hawaii Health Systems Corporation, Hawaii State Center for Nursing, Hawaii Primary Care Association, Hawaii State Rural Health Association, The Queen's Health Systems, Hawaii Association of Professional Nurses, American Nurses Association-Hawaii, and six individuals.

Your Committee finds that although the intent of the existing Healthcare Preceptor Tax Credit is to incentivize volunteer preceptors to offer professional instruction, training, and supervision to students and residents seeking careers as healthcare providers, only a small subset of potential preceptors are able to meet the current eligibility requirements. Your Committee believes that clarifying the eligibility requirements for the healthcare preceptor tax credit will expand the field of preceptors, thereby increasing the opportunities for students pursuing careers as healthcare providers to obtain in-state supervised clinical training.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 306, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 306, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 131 Health, Human Services, & Homelessness on H.B. No. 727

The purpose of this measure is to:

- (1) Establish an inspection fee for the inspection of public swimming pools;
- (2) Increase the annual and temporary permit fees for tattoo artists;
- (3) Increase the fees for certified copies of vital statistic records; and
- (4) Require the Department of Health to coordinate public health statistics and other public health data to implement and update a statewide public health planning and public health program development program.

Your Committee received testimony in support of this measure from the Department of Health. Your Committee received comments on this measure from the State Health Planning and Development Agency, Hawaii Pacific Health, and The Queen's Health Systems.

Your Committee finds that this measure requires the Department of Health to proactively coordinate and plan statewide health care and public health resources, which is necessary to establish and achieve long-term strategic objectives and policies to improve the access, quality, and sustainability of public health in Hawaii.

Your Committee has amended this measure by:

- (1) Amending the definition of "public health planning" to remove references to public and private health care services delivery resources;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 727, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 727, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 132 Health, Human Services, & Homelessness on H.B. No. 474

The purpose of this measure is to preserve access to health care for Medicaid recipients by extending the hospital sustainability program.

Your Committee received testimony in support of this measure from the Department of Human Services, Hawaii Primary Care Association, Healthcare Association of Hawaii, The Queen's Health Systems, Kaiser Permanente Hawaii, Adventist Health Castle, and Hawaii Pacific Health.

Your Committee finds that the hospital sustainability program, which was established in 2012, has served a critical role in strengthening the health care system in Hawaii. Your Committee believes that continuing the program will ensure that the State's uninsured or underinsured patients continue to receive care in a timely, effective manner.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 474, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 474, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 133 Health, Human Services, & Homelessness on H.B. No. 718

The purpose of this measure is to require the Department of Human Services to compile data and identify employers that have numerous employees enrolled in public assistance programs.

Your Committee received comments on this measure from the Department of the Attorney General, Department of Labor and Industrial Relations, Department of Human Services, and Civil Beat Law Center for the Public Interest.

Your Committee finds that compiling data regarding employers having employees who receive public assistance will allow the Legislature and other policy makers to develop a deeper understanding on the causes and sources of underemployment and poverty wages, and the resulting economic impacts on society, business, and the state budget.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 718, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 718, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Gates).

SCRep. 134 Health, Human Services, & Homelessness on H.B. No. 309

The purpose of this measure is to expand coverage of breast cancer screening and imaging to include risk factor screening, additional and supplemental imaging, and baseline mammograms for women between the ages of thirty-five and thirty-nine.

Your Committee received testimony in support of this measure from the Hawaii Primary Care Association, Hawaii Medical Association, Hawaii Pacific Health, Hawaii Radiological Society, Planned Parenthood Votes Northwest and Hawaii, and two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Medical Service Association and Hawaii Association of Health Plans. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that, on average, women in Hawaii between the ages of forty and forty-nine have higher incidence of breast cancer compared to the national average. Your Committee further finds that expanding coverage and types of coverage of breast cancer screening is in the best interest of public health, and will ensure that women with high risk of breast cancer in Hawaii have access to early breast cancer screening.

Your Committee has amended this measure by:

- (1) Requiring the Auditor to conduct an impact assessment report on the mandatory health insurance coverage proposed by this measure;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 309, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 309, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 135 Health, Human Services, & Homelessness on H.B. No. 314

The purpose of this measure is to:

- (1) Require providers of health or human services who are contracted with the state and who witness a violation of law or rule to report the violation to the purchasing agency so that investigators may follow up and prevent further injury or other detrimental actions; and
- (2) Require entities that receive funds from the Department of Health or Department of Human Services to provide annual financial reports to the appropriate department.

Your Committee received testimony in opposition to this measure from the State Procurement Office. Your Committee received comments on this measure from the Department of Health, Department of Human Services, Hawaii Primary Care Association, and The Queen's Health Systems.

Your Committee finds that requiring annual financial reports from entities who receive funds from the Department of Health or Department of Human Services will ensure that those funds are being used responsibly and for the benefit of the State.

Your Committee has amended this measure by:

- (1) Removing the requirement for providers of health or human services to report any violation of rule or law while fulfilling a contract with the State;
- (2) Exempting contracts with annual financial reporting provisions that are required by federal law or regulation, or by conditions of a federal cooperative agreement or grant, from the financial reporting requirements established by this measure;
- (3) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 314, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 314, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 136 Health, Human Services, & Homelessness on H.B. No. 310

The purpose of this measure is to:

- (1) Amend the definition of "imminently dangerous to self or others"; and
- (2) Authorize the involuntary treatment of certain patients subject to emergency hospitalization.

Your Committee received testimony in support of this measure from the Mayor's Office of Housing in the City and County of Honolulu; Hawaii Substance Abuse Coalition; Hawaii Psychological Association; The Institute for Human Services, Inc.; and eight individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender, Drug Policy Forum of Hawaii, Hawaii Health & Harm Reduction Center, American Civil Liberties Union of Hawaii, and eight individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Health, Hawaii Disability Rights Center, The Queen's Health Systems, and one individual.

Your Committee finds that extending the time frame for when a person can be determined as imminently dangerous from forty-five to ninety days and allowing for the involuntary treatment of persons who are subject to emergency hospitalization, have been diagnosed with a serious mental illness or severe substance use disorder, and are deemed to be lacking decisional capacity by qualified medical personnel will increase the likelihood that these individuals will receive timely and appropriate treatment.

Your Committee has amended this measure by:

- (1) Removing the requirement that an emergency examination occur in a hospital;
- (2) Clarifying that involuntary treatment of individuals subject to emergency hospitalization may include the use of long-term injectable psychotropics;
- (3) Requiring the assessment of individuals who are subject to emergency hospitalization, diagnosed with a serious mental illness or serious substance use disorder, and found to be lacking decisional capacity to determine if the appointment of a surrogate or guardian is needed to make appropriate health care decisions for the individual;
- (4) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 310, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 310, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Kapela). Noes, none. Excused, 1 (LoPresti).

SCRep. 137 Health, Human Services, & Homelessness on H.B. No. 477

The purpose of this measure is to:

- (1) Increase the allowable number of production centers and retail dispensing locations per medical cannabis dispensary license;
- (2) Authorize the Department of Health to allow a licensed dispensary to purchase up to four thousand grams of cannabis or manufactured cannabis products from another licensed dispensary to ensure ongoing qualified patient access; and
- (3) Clarify that the transport of cannabis to another county or island for the sole purpose of laboratory testing is permissible only if no certified laboratory is located in the county or on the island where the dispensary is located.

Your Committee received testimony in support of this measure from the Hawaii Cannabis Industry Association, Big Island Grown, Drug Policy Forum of Hawaii, and one individual. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that allowing dispensary-to-dispensary sales of cannabis and manufactured cannabis products will allow for adequate patient access to medical cannabis and ensure the smooth administration of the medical cannabis dispensary system law.

Your Committee has amended this measure by:

- (1) Reducing the amount of cannabis or manufactured cannabis products that can be transported between a selling and a purchasing dispensary from four thousand grams to three thousand grams;
- (2) Amending the definition of "cannabis" to include cannabis propagules and cuttings;
- (3) Removing language permitting the inter-island or inter-county transportation of cannabis and manufactured cannabis products for dispensary-to-dispensary sales;
- (4) Inserting language imposing quantity limits and quality requirements on dispensed cannabis propagules and cuttings;
- (5) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 477, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 477, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Har, Ward). Noes, none. Excused, 1 (Gates).

SCRep. 138 Health, Human Services, & Homelessness on H.B. No. 576

The purpose of this measure is to improve equitable access to health care by authorizing licensed physician assistants and advance practice registered nurses to perform aspiration abortions.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, AAUW of Hawaii, Hawaii Women's Coalition, Women's Caucus of the Democratic Party of Hawaii, Planned Parenthood Votes Northwest and Hawaii, American Civil Liberties Union of Hawaii, LGBT Caucus of the Democratic Party of Hawaii, Hawaii - American Nurses Association, Hawaii Section of the American College of Obstetricians and Gynecologists, Healthy Mothers Healthy Babies, Hua Moon Women's Health LLC, Hawaii Maternal and Infant Health Collaborative, Hawaii Academy of Physician Assistants, Domestic Violence Action Center, and numerous individuals. Your Committee received testimony in opposition to this measure from Hawaii Life Alliance, Hawaii Family Forum, A Place for Women in Waipio, Hawaii Federation of Republican Women, Americans United for Life, 40 Days for Life in Honolulu, and twelve individuals. Your Committee received comments on this measure from the Board of Nursing, Hawaii Medical Board, and Hawaii State Center for Nursing.

Your Committee finds that under existing state law, only physicians are permitted to provide aspiration abortion care. Your Committee further finds that these restrictions place an unnecessary burden on abortion care and negatively impact residents in rural and medically underserved areas of the State.

Your Committee has amended this measure by:

- (1) Reinstating statutory language that requires abortions to be performed in a licensed hospital;
- (2) Clarifying that licensed physician assistants and advanced practice registered nurses may only perform aspiration abortion care;
- (3) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 576, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 576, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, 1 (Ward). Excused, 1 (Gates).

SCRep. 139 Health, Human Services, & Homelessness on H.B. No. 988

The purpose of this measure is to amend kupuna care and caregiver support services laws to:

- (1) Expand the definition of "coach" to include an individual that assists the care recipient and caregiver with enrollment into programs and completing necessary forms;
- (2) Amend the definition of "person-centered support plan" to mean a plan developed by a care recipient and the recipient's qualified caregiver that identifies the needs of the care recipient and allows the caregiver to remain in the workforce;
- (3) Allow qualified caregivers to continue providing services even if they work less than thirty hours a week or are unemployed during a declared state of emergency;
- (4) Add traditional services and kupuna caregiver-directed services to the Kupuna Caregivers Program; and
- (5) Allow funds allocated to qualified caregivers under the Kupuna Caregivers Program to be issued directly to a financial management service provider.

Your Committee received testimony in support of this measure from the Department of Human Services, Executive Office on Aging, Policy Advisory Board for Elder Affairs, AARP Hawaii, Kupuna Caucus of the Democratic Party of Hawaii, Hawaii Family Caregiver Coalition, Alzheimer's Association, Faith Action for Community Equity, and sixteen individuals.

Your Committee finds that because of the 2019 novel coronavirus pandemic, many kupuna caregivers lost their jobs and many others who worked for contracted service providers either closed or decreased their services. Your Committee further finds that providing more flexibility to kupuna caregivers during the ongoing economic uncertainty will provide area agencies on aging with more options to better serve kupuna and their caregivers.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 988, as amended herein, and recommends that it pass Second Reading in the form attached

hereto as H.B. No. 988, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Gates).

SCRep. 140 Health, Human Services, & Homelessness on H.B. No. 826

The purpose of this measure is to:

- (1) Expand the purposes for which monies in the Tobacco Enforcement Special Fund may be used to include all functions of the Department of the Attorney General;
- (2) Better regulate and ensure the removal of unsafe, noncertified electronic nicotine delivery systems from the marketplace by expanding the scope of the Electronic Smoking Device Retailer Registration Unit within the Department of the Attorney General;
- (3) Establish a special fund for the deposit of monies collected for violations of electronic smoking device compliance; and
- (4) Curb the use of electronic smoking devices and tobacco products by amending the fine amounts for persons under twenty-one years of age who purchase or possess such devices or products.

Your Committee received testimony in support of this measure from the Hawaii Primary Care Association and one individual. Your Committee received testimony in opposition to this measure from the Department of the Attorney General, American Heart Association, Retail Merchants of Hawaii, VOLCANO Vape Shops, Irie Hawaii, Hawaii Smokers Alliance, and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Health, Hawaii Public Health Institute, Coalition for a Tobacco-Free Hawaii, and two individuals.

Your Committee finds that Hawaii suffers from the highest rate of usage of e-cigarettes among middle school students and the second highest rate of usage among high school students in the nation. Your Committee further finds that more robust enforcement and increased fines will help combat the high rates of underage e-cigarette and other electronic smoking device usage in the State.

Your Committee has amended this measure by:

- (1) Inserting a savings clause;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 826, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 826, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Ward). Noes, none. Excused, 2 (Gates, LoPresti).

SCRep. 141 Health, Human Services, & Homelessness on H.B. No. 476

The purpose of this measure is to make various amendments to the State's cigarette and tobacco tax law to treat e-liquid and e-liquid cartridges like cigarettes and tobacco products, including:

- (1) Imposing an excise tax on the sale of each e-liquid cartridge or unit of open system e-liquid sold, used, or possessed by a wholesaler or dealer;
- (2) Requiring wholesalers and retailers of e-liquid and e-liquid cartridges to obtain licenses and permits to operate;
- (3) Amending definitions; and
- (4) Making other conforming amendments.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association, AlohaCare, Hawaii Substance Abuse Coalition, Blue Zones Project, Campaign for Tobacco-Free Kids, Coalition for a Tobacco-Free Hawaii, and five individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii, VOLCANO Vape Shops, Irie Hawaii, Hawaii Smokers Alliance, and numerous individuals. Your Committee received comments on this measure from the Department of Taxation, Hawaii Primary Care Association, American Heart Association, American Lung Association, American Cancer Association Cancer Action Network, Reason Foundation, and one individual.

Your Committee finds that electronic smoking devices have become the most commonly used tobacco product among youth in the United States and Hawaii. In Hawaii, electronic smoking devices are not taxed like other tobacco products and can often be purchased at lower prices than cigarettes. The State's existing tax laws also do not cover solutions containing nicotine, such as e-liquids, that are designed or sold for use with electronic smoking devices.

Your Committee further finds that increasing the price of tobacco products is the single most effective way to reduce consumption. Achieving tax parity for all tobacco products, as proposed by this measure, will therefore protect against price disparities and serve as an important tool to combat the youth vaping epidemic in Hawaii.

Your Committee has amended this measure by:

- (1) Imposing a fifty percent tax on any product for which a modified risk tobacco product order has been issued by the Secretary of the United States Department of Health and Human Services pursuant to title 21 United States Code section 387k(g);
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 476, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 476, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, 1 (Ward). Excused, 1 (Gates).

SCRep. 142 Health, Human Services, & Homelessness on H.B. No. 1322

The purpose of this measure is to establish a task force within the Department of Health to develop and make recommendations for trauma-informed care in

the State.

Your Committee received testimony in support of this measure from the Department of Health, Executive Office on Early Learning, Office of Hawaiian Affairs, Office of the Mayor of the County of Kauai, Kamehameha Schools, Hawaii Pacific Health, Hawaii Primary Care Association, Vibrant Hawaii, Hawaii Kids CAN, Hawaii Children's Action Network Speaks!, Hawaii Youth Services Network, Hawaii Health and Harm Reduction Center, Kinai Eha, and five individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that early adverse childhood experiences can negatively impact the development in children, leading to future learning, health, and behavioral problems. Your Committee further finds that providing children with positive relationships with stable non-relative adults can help mitigate the harmful effects of early adverse childhood experiences.

Your Committee has amended this measure by:

- (1) Amending the membership of the task force;
- (2) Requiring the task force develop an implementation and sustainability plan;
- (3) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1322, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1322, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Gates).

SCRep. 143 Economic Development on H.B. No. 1174

The purpose of this measure is to:

- (1) Amend the motion picture, digital media, and film production income tax credit by:
 - (A) Reducing the cap amount and aggregate cap amount of the credit;
 - (B) Establishing a maximum amount of above-the-line costs that may be used to claim the credit;
 - (C) Reducing the minimum amount of qualified productions costs needed to claim the credit;
 - (D) Requiring qualified production costs to be incurred through a qualified vendor;
 - (E) Requiring at least seventy-five percent of a qualified production to be filmed in the State if the taxpayer claims a credit in excess of \$5,000,000 in a single taxable year; and
 - (F) Requiring that the State receive a percentage of the worldwide gross revenues of a qualified production if the taxpayer claims credits in excess of an aggregate amount of \$15,000,000 in two taxable years;
- (2) Define "above-the-line costs" and "qualified vendor"; and
- (3) Extend the repeal date of the tax credit from January 1, 2026, to January 1, 2033.

Your Committee received testimony in support of this measure from Hawaii Media Inc., Island Film Group, and one individual. Your Committee received testimony in opposition to this measure from the Motion Picture Association, Inc. Your Committee received comments on this measure from the Department of Taxation; Department of the Attorney General; Department of Business, Economic Development, and Tourism; Honolulu Film Office; Tax Foundation of Hawaii; and IATSE Local 665.

Your Committee finds that the film industry in Hawaii is an important component of a diversified economy and that the motion picture, digital media, and film production income tax credit is an effective means of stimulating the economy and creating quality jobs while promoting Hawaii as a visitor destination. Amending certain criteria for the motion picture, digital media, and film production income tax credit, including extending its repeal date, will provide stability and predictable economic incentives for the film industry and people employed in the film industry in the State.

Your Committee has amended this measure by:

- (1) Deleting provisions that would have allowed the State to receive a percentage of the worldwide gross revenues of a qualified production if a taxpayer claimed credits in excess of an aggregate amount of \$15,000,000 in two taxable years;
- (2) Inserting language that requires the Department of Business, Economic Development, and Tourism to post on its website the names of the qualified productions and the amount of tax credits claimed per qualified production per filing year;
- (3) Clarifying that the total tax credits claimed per qualified production shall not exceed \$12,000,000;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1174, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1174, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, 1 (Okimoto). Excused, none.

SCRep. 144 Economic Development on H.B. No. 507

The purpose of this measure is to require the Department of Business, Economic Development, and Tourism to establish a fixed royalty payment to the State for the filming of scenic shots of iconic locations in the State that are subsequently featured in media for production purposes.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Motion Picture Association, Inc.; and one individual. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that Hawaii has a unique landscape and natural environment that results in Hawaii being a very desirable and popular film location. Hawaii also offers many convenient and diverse filming opportunities for the filming industry. This measure ensures that the State's beautiful and iconic locations are protected and preserved by appropriately compensating the State for the use of these locations.

Your Committee has amended this measure by:

- (1) Exempting state and county productions from paying royalties for the use of scenic shots of iconic locations in the State; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 507, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 507, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Okimoto). Noes, none. Excused, none.

SCRep. 145 Economic Development on H.B. No. 119

The purpose of this measure is to replace E Ola Mau Na Leo O Kekaha with Kaunalewa as the entity authorized to receive special purpose revenue bonds issued to assist with the acquisition, remediation, and development of the old Kekaha Sugar Mill in Kekaha, Kauai, Hawaii.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that there is an immediate need to remediate the old Kekaha Sugar Mill from sugar-era legacy chemicals on the parcel, particularly because of its proximity to a charter school and public housing properties. This measure supports the success of Kaunalewa in its efforts to clean and repurpose this historic area as an economic hub in alignment with the region's plantation and Hawaiian history.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 119, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 119, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 146 Economic Development on H.B. No. 689

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist the House of Aloha Enterprises LLC, with planning, designing, constructing, and equipping facilities for the manufacturing and processing of certain products.

Your Committee received testimony in support of this measure from Mason Industries, LLC. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that given the current economic climate, it is critical for the State to diversify certain sectors of the economy, including manufacturing, which will generate local jobs and tax revenues. This measure supports the development and construction of local facilities that will enable farmers, value-added agriculture producers, and entrepreneurs with access to automated packaging and bottling, shipping, and other services to generate jobs and revenue, resulting in a more self-sustainable economy.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 689, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 689, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 147 Legislative Management on H.B. No. 57

The purpose of this measure is to clarify the office of the Legislative Analyst.

Your Committee received no testimony on this measure.

Your Committee finds that it is in the public interest to clarify the appointment and term of service for the Legislative Analyst within the Office of the Legislative Analyst.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 57 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

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

SCRep. 148 Legislative Management on H.B. No. 205

The purpose of this measure is to specify that disclosure to the ombudsman of communications subject to attorney-client privilege or attorney work-product privilege does not waive that privilege with respect to any other person.

Your Committee received testimony in support of this measure from the Office of the Ombudsman and one individual.

Your Committee finds that clarifying the disclosure of otherwise privileged information to the Office of the Ombudsman does not constitute a waiver of that privilege with respect to any other person will assist the Office of the Ombudsman in carrying out its investigative duties.

Your Committee has amended this measure by changing the effective date to July 1, 2114, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 205, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 205,

H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

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

SCRep. 149 Legislative Management on H.B. No. 513

The purpose of this measure is to repeal the State Capitol Management Committee.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services and one individual.

Your Committee finds that the State Capitol Management Committee has fulfilled its intended purpose.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 513 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

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

SCRep. 150 Legislative Management on H.B. No. 517

The purpose of this measure is to clarify that, absent any other law to the contrary, the State Auditor may examine all accounts and records of any other state department, agency, or division.

Your Committee received testimony in support of this measure from the Office of the Auditor.

Your Committee finds that clarifying the traditional powers of the Auditor will assist the Office of the Auditor in conducting examinations of State departments, offices, and agencies.

Your Committee has amended this measure by changing the effective date to July 1, 2114, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 517, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 517, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

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

SCRep. 151 Labor & Tourism on H.B. No. 1066

The purpose of this measure is to add the University of Hawaii to the list of agencies that are authorized to conduct criminal history record checks on current or prospective employees whose positions or duties are related to public safety.

Your Committee received testimony in support of this measure from the Department of Human Resources Development and University of Hawai'i System.

Your Committee finds that the University of Hawaii campuses have departments of public safety with responsibilities that include protecting persons and property, receiving reports of crime such as sexual assaults, and providing walking escorts and vehicle transportation from dusk to dawn for persons alone on campus at night. Your Committee further finds that this measure will provide the University of Hawaii the authority to conduct criminal history record checks on persons who will be entrusted with the security of campus facilities and persons.

Your Committee also finds that, on average, the University hires approximately fifteen security officers annually. This measure will streamline the hiring process and allow for vacancies to be filled more efficiently.

Your Committee has amended this measure by changing the effective date to December 25, 2040, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1066, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1066, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 152 Labor & Tourism on H.B. No. 125

The purpose of this measure is to establish The Uniform Employee and Student Online Privacy Protection Act to adopt uniform laws on protecting the online accounts of employees, prospective employees, unpaid interns, applicants, students, and prospective students from employers and educational institutions.

Your Committee received testimony in support of this measure from the Department of Education, Hawai'i Civil Rights Commission, and Commission to Promote Uniform Legislation.

Your Committee finds that this measure will prevent employers and public and private educational institutions from coercing access to non-public information from personal online accounts of students and employees, who typically have less than equal bargaining power. This measure will establish a set of rules that will help employers, educational institutions, employees, students, technology service providers, practitioners, and judges to effectively apply, comply with, and enforce the law in a more consistent manner.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 25, 2040, to encourage further discussion; and
- (2) 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 125, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 125, H.D. 1, and be referred to your Committee on Higher Education & Technology.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 153 Labor & Tourism on H.B. No. 1253

The purpose of this measure is to prohibit an employer from:

- (1) Requiring an employee to download a mobile application to the employee's personal communication device that enables the employee's location to be tracked or their personal information revealed;
- (2) Terminating or otherwise discriminating against an employee for refusing to download a mobile application to the employee's personal communication device; or
- (3) Discharging or otherwise discriminating against an employee for filing a complaint, testifying, or assisting in any proceeding concerning these unlawful practices.

Your Committee received comments on this measure from the Department of Labor and Industrial Relations and Maui Chamber of Commerce.

Your Committee finds that, in response to the COVID-19 pandemic, applications for mobile phones have been promoted as a means to track the whereabouts of individuals who may have been exposed to someone testing positive for the virus, prompting privacy concerns and anxiety over potential misuse of the location information. While mobile phone users may voluntarily agree to be tracked, your Committee finds that privacy concerns dictate against making this requirement a condition of employment.

Your Committee further finds that the Department of Labor and Industrial Relations indicated it may not have the resources to enforce this measure and suggested a private right of action be made available.

Accordingly, your Committee has amended this measure by:

- (1) Removing language requiring the Department of Labor and Industrial Relations to enforce this measure;
- (2) Creating a civil action for injunctive relief or damages for a violation of this measure; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1253, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1253, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 154 Labor & Tourism on H.B. No. 90

The purpose of this measure is to:

- (1) Transfer the State Fire Council, for administrative purposes, from the Department of Labor and Industrial Relations to the Department of Commerce and Consumer Affairs;
- (2) Place the boiler and elevator safety law under the jurisdiction of the Department of Commerce and Consumer Affairs rather than the Department of Labor and Industrial Relations and create a Boiler and Elevator Safety Appeals Board; and
- (3) Transfer administration of the Human Trafficking Victim Services Fund from the Department of Labor and Industrial Relations to the Judiciary.

Your Committee received testimony in opposition to this measure from the Department of Commerce and Consumer Affairs. Your Committee received comments on this measure from the Department of Labor and Industrial Relations and Labor and Industrial Relations Appeals Board.

Your Committee has amended this measure by:

- (1) Clarifying that those employees whose only primary function relates to the boiler and elevator safety law will be transferred to the Department of Commerce and Consumer Affairs;
- (2) Providing that all rules, policies, procedures, guidelines, and other material adopted or developed by the Department of Labor and Industrial Relations to implement provisions applicable to the boiler and elevator safety law shall remain in full force and effect until amended or repealed by the Department of Commerce and Consumer Affairs;
- (3) Providing that any funds remaining in the Boiler and Elevator Revolving Fund established pursuant to section 397-13, Hawaii Revised Statutes, shall be transferred to the Boiler and Elevator Revolving Fund;
- (4) Changing the effective date to December 25, 2040, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 90, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 90, H.D. 2, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 155 Education on H.B. No. 10

The purpose of this measure is to require the Board of Education to invite the exclusive representative for bargaining unit (5) to appoint a nonvoting public school teacher representative to the Board.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association, Democratic Party of Hawaii Education Caucus, Hawaii Association of School Psychologists, and three individuals. Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received comments on this measure from the Hawaii State Ethics Commission and Board of Education.

Your Committee finds that the Board of Education currently consists of nine voting members, none of whom are required to be a public school teacher. The appointment of a current public school teacher, as a nonvoting member, to the Board will provide first-hand experience and expertise on the educational and professional climate in Hawaii's public schools, impact of education policies on teacher recruitment and retention, and resources needed to deliver a quality learning experience for all of Hawaii's children.

Your Committee further finds that the COVID-19 pandemic has significantly disrupted Hawaii's public education system, forcing schools to adapt their operations to public health. The Board of Education would benefit from the experience of a public school teacher representative as well as a public school administrator representative in deliberations about protocols and service delivery systems in response to COVID-19.

Your Committee has amended this measure by:

- (1) Requiring the Board of Education to invite the exclusive representative for bargaining unit (6) to appoint a nonvoting public school administrator to the Board;
- (2) Changing its effective date to July 1, 2050; 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 is in accord with the intent and purpose of H.B. No. 10, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 10, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Ohno).

SCRep. 156 Education on H.B. No. 225

The purpose of this measure is to:

- (1) Require the Board of Education to develop a bullying prevention and response action plan;
- (2) Require the Board of Education, or the Department of Education as the Board's designee, to submit an annual report to the Legislature on the action plan and reported incidents of alleged bullying and harassment; and
- (3) Repeal Act 214, Session Laws of Hawaii 2011, which required the Board of Education to monitor the Department of Education for compliance with any Department administrative rules or statutes governing bullying, cyberbullying, and harassment.

Your Committee received testimony in support of this measure from the Hawaii Disability Rights Center and two individuals. Your Committee received comments on this measure from the Board of Education and Department of Education.

Your Committee finds that the Board of Education advocates for safe learning environments that ensure the wellbeing of students and recognizes bullying as a severe issue. Furthermore, the Department of Education fosters positive and safe learning environments for all students and staff by creating a culture of respect, responsibility, and resiliency. This measure will help the Board and Department in responding to and preventing bullying in public schools.

Your Committee has amended this measure by changing its effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 225, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 225, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 11; Ayes with Reservations (Okimoto). Noes, none. Excused, 1 (Ohno).

SCRep. 157 Education on H.B. No. 372

The purpose of this measure is to:

- (1) Require the Auditor to perform an annual operational audit of the academic and financial plans of the Department of Education to be submitted to the Legislature;
- (2) Require the Department of Education to contract with a third party consultant that specializes in school finance to perform a study of the adequacy of education funding in the State to be submitted to the Legislature; and
- (3) Appropriate funds for the audit and the study.

Your Committee received testimony in support of this measure from the Maui Chamber of Commerce and one individual. Your Committee received comments on this measure from the Department of Education and Office of the Auditor.

Your Committee finds that there is a greater need for transparency from the Department of Education. Annual operational audits of the academic and financial plans of the Department of Education will help to identify the financial and management needs of Department schools. Additionally, a study of the adequacy of education funding in Hawaii will better inform how funding is used to enhance the quality of education for students in the State.

Your Committee has amended this measure by changing the effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 372, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 372, H.D. 1, and be referred to your Committee on Legislative Management.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Ohno).

SCRep. 158 Education on H.B. No. 515

The purpose of this measure is to require the Auditor to audit the Department of Education's School Food Services Branch to determine how much local produce is being purchased and served to students that the Branch is responsible for.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in support of the intent of this measure from the Department of Education. Your Committee received comments on this measure from one individual.

Your Committee finds that the Department of Education's School Food Services Branch is currently performing its own internal audit to evaluate the amount of local product purchased since the 2019-2020 school year. This measure will assist the Department in evaluating procurements from prior years to assess the baseline amounts of local produce purchased prior to the COVID-19 pandemic.

Your Committee has amended this measure by changing the effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 515, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 515, H.D. 1, and be referred to your Committee on Agriculture.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Ohno).

SCRep. 159 Education on H.B. No. 525

The purpose of this measure is to authorize the Department of Education (Department) to construct housing for teachers on a public school campus; provided that any housing units constructed or acquired on a school campus after June 30, 2021, be rented at a low cost or no cost to new teachers employed full-time at the school where the housing units are located.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii Association of REALTORS, Hawaii State Teachers Association, and two individuals.

Your Committee finds that a January 2020 compensation study contracted by the Department revealed that seventy-eight percent of survey respondents indicated that the lack of housing availability negatively impacted teacher retention in Hawaii. A comparison report in December 2020 that was developed for the Department on teacher recruitment revealed that similarly situated school districts in other states provide greater opportunities for low cost or no cost teacher housing for full-time employees. Your Committee further finds that according to the Department of Business, Economic Development, and Tourism's 2019 report on Housing Demand in Hawaii, the State needs up to 46,000 housing units to meet demand in Hawaii by 2030. This measure will help in recruiting and retaining effective educators by lessening the financial burden of being a public school teacher in the State through the establishment of affordable teacher rental housing.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050; and
- (2) 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 is in accord with the intent and purpose of H.B. No. 525, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 525, H.D. 1, and be referred to your Committee on Housing.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (DeCoite, Okimoto). Noes, none. Excused, 1 (Ohno).

SCRep. 160 Education on H.B. No. 690

The purpose of this measure is to propose an amendment to article X, section 1, of the Hawaii State Constitution to require that the statewide public school system be thorough and efficient.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association, Democratic Party of Hawaii Education Caucus, Education Caucus Representative for the State Central Committee of the Democratic Party of Hawaii, ILWU Local 142, Parents for Public Schools of Hawaii, and five individuals. Your Committee received testimony in support of the intent of this measure from the Department of Education and Iron Workers Stabilization Fund. Your Committee received comments on this measure from one individual.

Your Committee finds that compared to other states, Hawaii is unique because the State, rather than the counties or local level jurisdictions, is responsible for public education. Your Committee further finds that the State is struggling to provide quality education to all keiki, as evidenced by a chronic teacher shortage, decaying school facilities, and the fact that Hawaii spends less total tax revenue on public education compared to other states in the nation. Your committee believes that this measure will strengthen the State Constitution and the state public education system by ensuring that public education is not only supported but also is "thorough and efficient."

Your Committee has amended this measure by changing the effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 690, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 690, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 1 (Okimoto). Excused, 1 (Ohno).

SCRep. 161 Education on H.B. No. 1220

The purpose of this measure is to:

- (1) Amend the appointing authority for members to the Charter School Commission;
- (2) Allow governing boards of postsecondary institutions and county and state agencies to authorize public charter schools; and
- (3) Clarify the charter application notice requirements and authorizer compliance requirements in cases of an appeal.

Your Committee received testimony in support of this measure from the Waimea Middle Public Conversion Charter School, Kulia Academy, West Hawaii Explorations Academy, Ke Ana La'ahana Public Charter School, and numerous individuals. Your Committee received comments on this measure from the State Public Charter School Commission.

Your Committee finds that this measure will improve and streamline the process for the authorization of public charter schools by clarifying the charter application notice requirements and authorizer compliance requirements in cases of an appeal to allow for charter school applicants to more easily correct any errors in their applications.

Your Committee has amended this measure by:

- (1) Restoring the Board of Education as the sole appointing authority of the Charter School Commission;
- (2) Removing the authority for the governing boards of public and private postsecondary institutions and county and state agencies to authorize public charter schools;
- (3) Retaining the provision requiring an authorizer to not provide technical support to a prospective charter school applicant, an applicant governing board,

or a charter school it authorizes in cases where the technical support will impact decisions related to the approval or denial of the charter application or renewal, revocation, or nonrenewal of the charter contract;

- (4) Allowing the staff of an authorizer to provide technical support to a prospective charter school applicant or an applicant governing board during the application process and review process, and to provide assistance in the completion of an incomplete application;
- (5) Clarifying that the charter school application process and schedule shall include criteria that will guide the authorizer's decision to approve or deny a charter application;
- (6) Removing the provision granting the approval of a charter school application if no written decision is provided by the final date by which the application is to be approved or denied by an authorizer;
- (7) Removing the requirement that an authorizer shall act in accordance with the Board of Education's decision to appeal regarding the appeal of decisions by the authorizer to deny the approval of a charter application, deny renewal of a charter contract, or revoke a charter school's contract and the accompanying penalties for failure to comply with the decision of the Board;
- (8) Removing the provision allowing an eligible authorizer to be designated as a charter school's authorizer in cases where the Board of Education overrules a denial or revocation by the charter school's initial authorizer;
- (9) Changing its effective date to July 1, 2050; and
- (10) 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 is in accord with the intent and purpose of H.B. No. 1220, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1220, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Okimoto). Noes, none. Excused, 1 (Ohno).

SCRep. 162 Education on H.B. No. 1223

The purpose of this measure is to:

- (1) Require the State Board for Career and Technical Education to:
 - (A) Oversee and review annually the statewide data collection processes, reporting requirements, and business rules related to the student attainment of industry-recognized credentials; and
 - (B) Report to the Governor and the Legislature on students' attainment of industry-recognized credentials; and
- (2) Require all state agencies that administer educational or training courses that lead to, provide, or otherwise align with the attainment of an industry-recognized credential to collect and report certain categories of data.

Your Committee received testimony in support of this measure from Hawaii P-20 Partnerships for Education, Chamber of Commerce Hawaii, HawaiiKidsCAN, and two individuals. Your Committee received testimony in support of the intent of this measure from the Department of Education and University of Hawai'i System. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that in the current job market, nearly sixty-five percent of available positions require postsecondary credentials. Industry-recognized credentials are important because they teach the specific knowledge and skills required for an occupation or industry and provide full-time employees with industry credentials with more earnings than their uncredentialed counterparts. Your Committee further finds that Hawaii has critical shortages of qualified local workers in sectors including health, education, air travel, and technology. The Promising Credentials project was launched as a collaborative effort aimed at using Hawaii labor market data and local employer insights to identify high-value industry credentials in the State. This measure will help to break down the data collected by credential and have the data be consistently collected and reported by state agencies.

Your Committee has amended this measure by:

- (1) Requiring the State Board for Career and Technical Education to begin reporting on students' attainment of industry-recognized credentials to the Governor and Legislature on July 1, 2023, rather than on July 1, 2022;
- (2) Requiring that all data collection and reporting activity required by this measure be conducted in a manner consistent with applicable federal and state laws governing the privacy and confidentiality of such data;
- (3) Changing its effective date to July 1, 2050; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the amendment to this measure requiring all data collection and reporting activity to be conducted in a manner consistent with applicable federal and state laws governing the privacy and confidentiality of such data is recommended by the Department of the Attorney General to ensure that this measure does not inadvertently violate applicable state and federal laws governing the privacy or confidentiality of personally identifiable information from education records, wage data, and employment data.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1223, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1223, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Ohno).

SCRep. 163 Higher Education & Technology on H.B. No. 1069

The purpose of this measure is to change the semi-annual reporting requirement to the Legislature on the monies in the Hawaii Cancer Research Special Fund to an annual report.

Your Committee received testimony in support of this measure from University of Hawaii Cancer Center.

Your Committee finds that annual reporting for the Hawaii Cancer Research Special Fund will reduce the administrative burden while maintaining legislative oversight similar to that of other non-general funds.

Your Committee has amended this measure by changing the effective date to July 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1069, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1069, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 164 Higher Education & Technology on H.B. No. 1067

The purpose of this measure is to permanently establish the authority of the University of Hawaii President to act as the Chief Procurement Officer for the University of Hawaii for all procurement contracts under the Hawaii Public Procurement Code.

Your Committee received testimony in support of this measure from the University of Hawai'i System and General Contractors Association of Hawaii.

Your Committee finds that Act 87, Session Laws of Hawaii 2013 (Act 87), was enacted in response to the Legislature's concerns about the prudent and transparent management of public funds appropriated by the Legislature and expended by the University of Hawaii. Act 87 removed the authority of the University of Hawaii President to serve as the Chief Procurement Officer for the University of Hawaii for construction contracts and construction-related professional services contracts and assigned those responsibilities to the Administrator of the State Procurement Office. This, however, resulted in a bifurcated procurement system at the University of Hawaii in which a different set of rules and procedures applied depending on the type of procurement for University construction projects.

Your Committee further finds that a January 2016 report by the State Procurement Office, issued pursuant to Act 87, found: "Based on SPO's review of 102 UH construction solicitations, UH's Administrative Procedures, and fourteen (14) post-award Site Visits, SPO finds that UH is conducting construction procurements in a compliant, efficient, and transparent manner." Act 42, Session Laws of Hawaii 2018, was enacted to reinstate and restore full authority to the University of Hawaii President to act as the University's Chief Procurement Officer for all procurement contracts under the Hawaii State Procurement Code, however that authority is set to expire on June 30, 2021. This measure makes this authority permanent.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1067, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1067, H.D. 1, and be referred to your Committee on Government Reform.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 165 Higher Education & Technology on H.B. No. 1070

The purpose of this measure is to provide a framework that supports consistent land use planning and development across the University of Hawai'i System through designation of university districts that create development policies and capital improvement programs.

Your Committee received testimony in support of this measure from the University of Hawai'i System. Your Committee received comments on this measure from the Office of Planning and Department of Land and Natural Resources.

Your Committee finds that the University of Hawaii System includes three university campuses and seven community college campuses located in each of the four counties. Each county has its unique zoning ordinances, planning, and permitting processes, as well as its own set of approvals and decision-making entities that include various departments, boards, commissions, and county councils. Jurisdictional variations lead to inconsistent regulatory processes across the various campuses, which make it difficult to strategically consider the University of Hawaii System as a whole. Your Committee finds that this measure allows the University of Hawaii President to propose to the Board of Regents that a campus be designated as a university district.

Your Committee has amended this measure by:

- (1) Deleting the exemption of university district developments within a special management area from special management area permits or shoreline setback variances;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1070, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1070, H.D. 1, and be referred to your Committee on Water & Land.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 166 Higher Education & Technology on H.B. No. 1072

The purpose of this measure is to repeal the amendments made by Act 236, Session Laws of Hawaii 2015, which:

- (1) Required each University of Hawaii (University) campus to prepare an operations plan to be reviewed by the President, Vice President for Budget and Finance, and the Chief Financial Officer of the University; and
- (2) Required monies in the University of Hawaii Tuition and Fees Special Fund for each University campus to lapse to the credit of University system wide support.

Your Committee received testimony in support of this measure from the University of Hawai'i System.

Your Committee finds that the amount of fees a student pays in a particular program can be significantly different from that in another program. While the commingling of funds or use of funds outside of that campus is a uniform way to manage funds paid to campuses via tuition and fees, it may also be inconsistent with the expectations of those that paid to a specific campus. This measure ensures that remaining monies in each campuses' fund stays to support those at that particular campus.

Your Committee has amended this measure by changing the effective date to July 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1072, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1072, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 167 Higher Education & Technology on H.B. No. 686

The purpose of this measure is to protect the public and critical electrical utilities by establishing the offense of trespassing on critical electrical infrastructure and making the offense a class C felony.

Your Committee received testimony in support of this measure from the Department of Transportation; Hawaii State Fire Council; Honolulu Fire Department; Maui Fire Department; Honolulu Police Department; Hawaiian Electric Company, Inc.; and Land Use Research Foundation of Hawaii. Your Committee received testimony in opposition to this measure from the Friends of Lana'i, Sierra Club of Hawaii, Pele Lani Farm LLC, Ka Lāhui Hawai'i Kōmike Kalai'āina, and numerous individuals. Your Committee received comments on this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and one individual.

Your Committee finds that this measure is intended to protect Hawaii's critical electrical infrastructure by making criminal trespass on critical electrical infrastructure a class C felony to serve as a greater deterrent. While this measure seeks to prevent theft of and damage to critical electrical infrastructure, it is also intended to prevent authorized persons who access critical electrical infrastructure from endangering themselves, while protecting electric utility employees from the dangers of compromised electrical infrastructure.

Your Committee notes the concerns raised by the opposition and acknowledges that criminal trespass laws already exist. As such, should your Committee on Judiciary & Hawaiian Affairs choose to hear this measure, your Committee asks that it consider whether it is appropriate to make criminal trespass on critical infrastructure a class C felony or whether existing trespass laws, which are a misdemeanor and petty misdemeanor, suffice in accomplishing the intention of this measure.

Your Committee further notes that this measure is not intended to interfere with peaceful demonstrations or lawful protests.

Your Committee has amended this measure by:

- (1) Removing power generation facilities used specifically during times of high demand from the definition of "critical electrical infrastructure"; and
- (2) 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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 686, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 686, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 2 (Ganaden, Kapela). Excused, none.

SCRep. 168 Corrections, Military, & Veterans on H.B. No. 1292

The purpose of this measure is to require the Board of Trustees of the Employees' Retirement System to conduct a study on retirement benefits for Hawaii National Guard members who are activated under state active duty orders and Hawaii National Guard members who are retired, and submit findings and recommendations to the Legislature prior to the Regular Session of 2022.

Your Committee received testimony in support of this measure from the Department of Defense, Hawaii National Guard Enlisted Association, and two individuals. Your Committee received testimony in opposition to this measure from the Board of Trustees of the Employees' Retirement System.

Your Committee finds that the Employees' Retirement System is precluded from using its resources for purposes other than the exclusive benefit of its members. If passed, this measure would benefit an activated national guard population of employees and retirees who are not employees or retirees of the State or county and are ineligible to become members or retirees of the Employees' Retirement System, in conflict with Employees' Retirement System's tax exempt status and creating potential adverse impacts on the State's unfunded liability.

Your Committee further finds that the more appropriate option would be to pursue a potential retirement program through the Department of Human Resources Development, which currently administers a deferred compensation retirement plan for part-time, temporary, and seasonal or casual employees of the State.

Accordingly, your Committee has amended this measure by:

- (1) Providing for service credit for time in service when military personnel are called to active duty in the State;
- (2) Including members of the Hawaii National Guard ordered into active service by the Governor in the definition of "employee" under certain circumstances, for purposes of the state deferred compensation retirement plan;
- (3) Requiring the Department of Human Resources Development, rather than the Board of Trustees of the Employees' Retirement System, to conduct the study, and adjusting the parameters of the study;
- (4) Changing the effective date to July 1, 3050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1292, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1292, H.D. 1, and be referred to your Committee on Labor & Tourism.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 169 Corrections, Military, & Veterans on H.B. No. 1352

The purpose of this measure is to establish a surplus military land task force to plan for the remediation and restoration of, and alternative uses for, lands currently under federal ownership and control that are anticipated to be returned to the State.

Your Committee received testimony in support of this measure from the Environmental Caucus of The Democratic Party of Hawaii and three individuals. Your Committee received comments on this measure from the Chamber of Commerce Hawaii.

Your Committee finds that issues that surround renewal of the lands intended to be covered by this measure remain unresolved and it is therefore premature to form a task force. Before remediation and restoration can occur, a number of barriers must be taken into consideration, including identifying the surplus lands and any known contaminants and environmental hazards on them. It would also be helpful to gather data from various departments and agencies to better understand the circumstances surrounding these lands. Your Committee finds that it is more prudent at this time to charge certain departments with obtaining this critical information.

Accordingly, your Committee has amended this measure by:

- (1) Eliminating the proposed task force;
- (2) Requiring the Office of Planning to submit a report to the Legislature containing the following:
 - (A) An inventory of federally controlled state lands, to be prepared by the Department of Land and Natural Resources;
 - (B) Any known contaminants or environmental hazards on the inventoried lands based on past environmental studies, to be prepared by the Department of Health in consultation with the Environmental Protection Agency;
 - (C) Input from departments and agencies on proposed alternative uses for the lands; and
 - (D) Its findings and recommendations, including any proposed legislation, based on the information above;
- (3) Changing the effective date to July 1, 3050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1352, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1352, H.D. 1, and be referred to your Committee on Water & Land.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Branco, B. Kobayashi, Kong, Tamas). Noes, none. Excused, 1 (McDermott).

SCRep. 170 Corrections, Military, & Veterans on H.B. No. 398

The purpose of this measure is to:

- (1) Clarify that the Department of Public Safety retains custody of and jurisdiction over any Hawaii inmate who has been transferred to and is incarcerated at a correctional institution located outside of the State;
- (2) Provide that the Department of Public Safety may transfer any Hawaii inmate who was transferred to an out-of-state institution back to the State at any time and for any reason; and
- (3) Require Hawaii inmates incarcerated outside of the State to be afforded all the rights and privileges available to inmates incarcerated at correctional institutions located within the State.

Your Committee received testimony in support of this measure from Habilitat and three individuals. Your Committee received comments on this measure from the Department of Public Safety and Community Alliance on Prisons.

Your Committee finds that additional assurances are needed that inmates housed in out-of-state correctional facilities will be provided comparable treatment, oversight, and safeguards to inmates housed within the State. Your Committee finds, however, that there may be instances, such as the examples identified by the Department of Public Safety involving a new crime committed outside the State, when the Department of Public Safety is unable to return an inmate to Hawaii.

Accordingly, your Committee has amended this measure by:

- (1) Removing the language requiring the return of an inmate regardless of whether the inmate faces a criminal charge in the jurisdiction in which the inmate is incarcerated;
- (2) Changing the effective date to July 1, 3050, to encourage further discussion; 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 398, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 398, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 171 Corrections, Military, & Veterans on H.B. No. 621

The purpose of this measure is to establish the Oahu Community Correctional Center Site Redevelopment Working Group to bring together state and county agencies, private entities, and the broader Kalihi community to examine how to best utilize the site and the surrounding area after the correctional center is relocated to a new location and identify, work through, and recommend solutions to issues relating to the redevelopment.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, a member of the Honolulu City Council, Kokua Kalihi Valley, and twelve individuals. Your Committee received testimony in opposition to this measure from the Community Alliance on Prisons. Your Committee received comments on this measure from the Office of Planning and one individual.

Your Committee finds that the Oahu Community Correctional Center site was identified as a potential transient-oriented development site in the "State Strategic Plan for Transit-Oriented Development" issued by the Hawaii Interagency Council for Transit-Oriented Development (TOD Council). Your Committee further finds that the Office of Planning serves as the lead agency for the TOD Council and is willing to facilitate and support the working group effort; however, the Office of Planning believes that the timing may be premature.

Accordingly, your Committee has amended this measure by:

- (1) Charging the Director of Planning, rather than the Governor, with convening the working group;

- (2) Delaying the start of the working group to on or after January 1, 2026;
- (3) Changing the deadlines for submittal of the working group's report to the Legislature to twenty days prior to the regular sessions of 2027 and 2028, and disbanding the working group on June 30, 2028;
- (4) Inserting a blank appropriation amount to support the working group;
- (5) Changing the effective date to July 1, 2030, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 621, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 621, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Branco, B. Kobayashi, Tarnas). Noes, none. Excused, 1 (McDermott).

SCRep. 172 Corrections, Military, & Veterans on H.B. No. 1080

The purpose of this measure is to:

- (1) Require the State to phase out the use of private correctional facilities to incarcerate Hawaii inmates; and
- (2) Prohibit the construction of new correctional facilities or the expansion of existing correctional facilities without the approval of the Hawaii Correctional System Oversight Commission.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Community Alliance on Prisons; League of Women Voters; American Civil Liberties Union of Hawai'i; Hahiliat; Hawai'i Friends of Restorative Justice; Kokua Kalihi Valley; Ohana Ho'opakele; Hawaii Government Employees Association, AFSCME, Local 152, AFL-CIO; and numerous individuals. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that the State has relied on contracted private, for-profit prisons to house a significant portion of the State's prison population for more than two decades. Your Committee further finds that the adverse impacts of incarcerating inmates outside of the State include isolating the inmates from their families, friends, and in many cases, cultural roots. Your Committee notes, however, that private prisons were authorized in response to overcrowded conditions in outdated correctional facilities that became unable to house the increase in the State's prison population. Your Committee therefore finds that any plan to phase out the use of private correctional facilities must be accompanied by a thorough systemic review of any plans for construction of new correctional facilities or expansion of existing correctional facilities.

Accordingly, your Committee has amended this measure by:

- (1) Removing the prohibition on the use of private correctional institutions and instead tasking the Hawaii Correctional System Oversight Commission (Commission) with creating a comprehensive plan to phase out private correctional institutions by 2025;
- (2) Requiring the Department of Public Safety to obtain input and recommendations from the Commission on any master plan to construct a new correctional facility or expand an existing correctional facility, and include the input and recommendations in any environmental impact statement on the project;
- (3) Changing the effective date to July 1, 3050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1080, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1080, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 173 Corrections, Military, & Veterans on H.B. No. 1082

The purpose of this measure is to:

- (1) Establish a moratorium on the construction of any new correctional facilities in the State on or after July 1, 2021, including the planned construction of a new facility to replace the existing Oahu Community Correctional Center; and
- (2) Prohibit the construction of new correctional facilities or the expansion of existing correctional facilities without the approval of the Hawaii Correctional System Oversight Commission.

Your Committee received testimony in support of this measure from the Hawaii Correctional System Oversight Commission, Office of the Public Defender, Hawai'i Friends of Justice & Civic Education, Community Alliance on Prisons, Kokua Kalihi Valley, Ohana Ho'opakele, American Civil Liberties Union of Hawai'i, Hahiliat, and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of Public Safety.

Your Committee finds that planning for the new Oahu Community Correctional Center should be paused to facilitate further dialogue and assessment of all critical factors and needs of a new correctional facility on Oahu. Questions over the right size for any new facility are impacted by systemic changes the Hawaii Correctional System Oversight Commission (Commission) is evaluating. The Commission has estimated that each bed in the new jail would cost taxpayers \$380,000 and the cost of housing a large number of pretrial detainees statewide is over \$180,000 per day. Your Committee further finds that the Commission's ongoing work makes it an appropriate body to solicit input and recommendations from on any proposed new corrections facility or any expansion proposal for existing correction facilities.

Accordingly, your Committee has amended this measure by:

- (1) Limiting the construction moratorium to one year, from July 1, 2021 to June 30, 2022;
- (2) Removing the prohibition against construction of a new correctional facility or expansion of an existing correctional facility unless the Commission first approves of the facility;
- (3) Prohibiting the construction of a new correctional facility or expansion of an existing correctional facility unless the Department of Public Safety first obtains the input of and recommendations from the Commission, and the Commission's input and recommendations are included in any environmental impact statement for the project;

- (4) Changing the effective date to July 1, 3050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1082, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1082, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 174 Corrections, Military, & Veterans on H.B. No. 1110

The purpose of this measure is to appropriate funds for an oversight coordinator position and necessary staff support positions for the Hawaii Correctional System Oversight Commission (Commission).

Your Committee received testimony in support of this measure from the Hawaii Correctional System Oversight Commission, Community Alliance on Prisons, American Civil Liberties Union of Hawaii, Habilitat, Association of Hawaiian Civic Clubs, and numerous individuals.

Your Committee finds that the Legislature authorized the position of oversight coordinator when it established the Commission in 2019, specified a salary equivalent to the salary of the Director of Human Resources Development, and mandated that the coordinator devote their entire time and attention to the administration of the Commission. The Legislature also authorized the oversight coordinator to employ persons to perform the functions of the Commission. To date, the Commission has operated without the benefit of an oversight coordinator or support staff.

Your Committee further finds that such an investment in the Commission will further the Commission's ability to accomplish its assigned duties, which include overseeing the State's correctional system, facilitating a correctional system transition to a rehabilitative and therapeutic model, establishing maximum inmate population limits for each correctional facility, and ensuring that the comprehensive offender reentry system is working properly.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount; and
- (2) Changing the effective date to July 1, 3050, to encourage further discussion.

Your Committee notes that the recommended appropriation amount for the oversight coordinator position and necessary support staff positions for the Commission is \$330,000.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1110, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1110, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 175 Corrections, Military, & Veterans on H.B. No. 1389

The purpose of this measure is to transfer the administrative attachment of the Hawaii Correctional System Oversight Commission (Commission) from the Department of the Attorney General to the Department of Human Services.

Your Committee received testimony in support of this measure from Kokua Kalihi Valley; Ohana Ho'opakele; Habilitat, Inc.; and nineteen individuals. Your Committee received comments on this measure from the Department of Human Services, Community Alliance on Prisons, and two individuals.

Your Committee finds that the correctional system is as much a matter of health and human services as it is a matter of law enforcement and, therefore, it would be more productive for the Commission to be attached to a different department that provides similar support and outreach services.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1389 and recommends that it pass Second Reading and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 7; Ayes with Reservations (Tarnas). Noes, none. Excused, 1 (McDermott).

SCRep. 176 Housing on H.B. No. 1311

The purpose of this measure is to address the shortage of affordable rental housing on Maui and maintain the viability of the Keawe Street affordable housing project by:

- (1) Removing the 2022 deadline for completion of the Leialii affordable housing project; and
- (2) Exempting the Leialii affordable housing project from the State's historic preservation law requirements; provided that the project adopts a lease-up preference for Lahaina, Maui, residents.

Your Committee received testimony in support of this measure from the Office of Mayor of the County of Maui. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee notes that on September 21, 2020, the State Historic Preservation Division notified Hawaii Housing Finance and Development Corporation that it would require a new archaeological inventory survey for the entire villages of the Leialii master planned community, of which the Keawe Street Apartments affordable housing project is a part. More time is needed for Hawaii Housing Finance and Development Corporation to prepare a new archaeological inventory survey with adequate testing of the affordable housing project. This measure extends the deadline in which funds appropriated under Act 98, Session Laws of Hawaii 2019, may be used for expediting and completing construction of the Leialii affordable housing project.

Your Committee has amended this measure by:

- (1) Removing the requirement that the Leialii affordable housing project adopt a lease-up policy giving preference to current residents of Lahaina, Maui, upon completion and service of the project;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1311, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1311, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 177 Housing/Water & Land on H.B. No. 902

The purpose of this measure is to:

- (1) Exempt lands set aside by the Governor to the Hawaii Housing Finance and Development Corporation and lands leased to the Hawaii Housing Finance and Development Corporation by any state department or agency from classification as public lands subject to Department of Land and Natural Resources management;
- (2) Require legislative approval of these exempt lands prior to the sale or gift of the lands; and
- (3) Require state department or agency lands leased to the Hawaii Housing Finance and Development Corporation that are no longer needed for housing, finance, or development, to be returned to the state department or agency that leased the lands to the Hawaii Housing Finance and Development Corporation.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Hawaii Housing Finance and Development Corporation. Your Committees received testimony in opposition to this measure from the Office of Hawaiian Affairs and Kūpuna for the Mo'opuna. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that this measure will help streamline the development of affordable housing on state land, including leasehold housing on land located within one-half mile of the Honolulu Rail Transit line, by reducing the number of approvals required by the Department of Land and Natural Resources once the land is set aside to the Hawaii Housing Finance and Development Corporation.

Your Committees note that some of the lands under the Hawaii Housing Finance and Development Corporation are public trust lands that the Corporation manages under executive orders recommended by the Board of Land and Natural Resources. Your Committees further note that currently, this measure only requires that lands leased by the Hawaii Housing Finance and Development Corporation be returned to the public trust administered by the Department of Land and Natural Resources.

Accordingly, your Committees have amended this measure by:

- (1) Specifying that lands set aside to the Hawaii Housing Finance and Development Corporation by any state department or agency and no longer needed for housing, finance, or development shall be returned to the state department or agency that approved the set aside of the lands;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

Your Committees request the Hawaii Housing Finance and Development Corporation to gather better data on Native Hawaiians who are living and renting in Hawaii Housing Finance and Development Corporation-financed projects. Your Committees also encourage the Office of Hawaiian Affairs to prepare Native Hawaiians for renting with downpayment assistance and security deposits and for homeownership, and develop a list of individuals who are ready to apply for Hawaii Housing Finance and Development Corporation-financed units once the units become available.

As affirmed by the records of votes of the members of your Committees on Housing and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 902, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 902, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 6; Ayes with Reservations (DeCoite). Noes, 1 (Ilagan). Excused, 1 (McDermott).

Water & Land: Ayes, 6. Noes, 1 (Ganaden). Excused, 1 (McDermott).

SCRep. 178 Water & Land on H.B. No. 1144

The purpose of this measure is to:

- (1) Exempt from the general excise tax law amounts received from the interisland transportation and related loading and unloading of agricultural commodities, regardless of whether the agricultural commodities were produced in the State; and
- (2) Require the Public Utilities Commission to authorize preferential water carrier service rates by tariff for ratepayers that operate farms or ranches located in any county with a population equal to or less than 500,000.

Your Committee received testimony in support of this measure from the Hawaii Farm Bureau, Ulupono Initiative, and Maui County Farm Bureau. Your Committee received comments on this measure from the Department of Taxation; Department of Commerce and Consumer Affairs; Department of Agriculture; Public Utilities Commission; Tax Foundation of Hawaii; and Young Brothers, LLC.

Your Committee finds that interisland transportation is a major issue for neighbor island farmers and ranchers, with the majority of agricultural lands located on neighbor islands and the population center located on the island of Oahu. Your Committee further finds that neighbor island farmers and ranchers are disadvantaged when competing with farmers and ranchers on Oahu due to additional transportation costs of bringing in supplies from Honolulu and sending products out to other islands. This measure will alleviate the financial costs that neighbor island farmers and ranchers have to bear when receiving supplies and shipping out their products.

Your Committee has amended this measure by:

- (1) Allowing the Public Utilities Commission to implement the preferential water carrier service rates by tariff for ratepayers that operate farms or ranches located in any county with a population equal to or less than five hundred thousand through either the adoption of rules pursuant to chapter 91, Hawaii Revised Statutes, or by order of the Commission; and
- (2) Changing the effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the

intent and purpose of H.B. No. 1144, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1144, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 179 Water & Land on H.B. No. 320

The purpose of this measure is to provide that any person who engages in certain archaeological activities without obtaining the required permission or approval from the Department of Land and Natural Resources is subject to a civil and administration violation.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Department of Land and Natural Resources, Historic Hawaii Foundation, Honua Consulting, and two individuals. Your Committee received comments on this measure from Cultural Surveys Hawaii.

Your Committee finds that this measure will ensure that the Department of Land and Natural Resources can consistently protect significant historic properties and burials and that archaeological activities are carried out in a manner consistent with the appropriate standards and requirements.

Your Committee has amended this measure by:

- (1) Inserting a savings clause;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 320, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 320, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 180 Water & Land on H.B. No. 821

The purpose of this measure is to address the State Historic Preservation Divisions' backlog of projects needing review by allowing the Division to delegate the responsibility of historic preservation project reviews to the respective counties.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received comments on this measure from the Historic Hawaii Foundation, Maui Chamber of Commerce, and one individual.

Your Committee finds that the review of proposed projects plays an essential role in the protection and management of the State's historic places, burial sites, and aviation artifacts by requiring agencies and offices of the State and its subdivisions to submit for review all projects that may affect historic properties to the State Historic Preservation Division in the Department of Land and Natural Resources prior to approval. Sometimes, these reviews or comments are amended, expanded, or revoked, after project developers have relied on them, leading to costly delays in important projects like affordable housing.

Your Committee has amended this measure by:

- (1) Specifying that departmental or county reviews or comments may not be later revoked, amended, or expanded unless there is an authorized physical change to the site that would make the review or comments invalid;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 821, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 821, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 181 Water & Land on H.B. No. 823

The purpose of this measure is to increase efficiency and update old statutory provisions by:

- (1) Repealing the Task Force on Beach and Water Safety and Risk Assessment Working Group; and
- (2) Requiring the design and placement of warning signs, devices, and systems on certain areas of the State to be approved by the Chairperson of the Board of Land and Natural Resources and the respective county mayors.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Department of the Attorney General. Your Committee received comments on this measure from the Hawaii Association for Justice.

Your Committee finds that the Task Force on Beach and Water Safety, established pursuant to Act 190, Session Laws of Hawaii 1996, and the Risk Assessment Working Group, established in section 171-86, Hawaii Revised Statutes, pursuant to Act 82, Session Laws of Hawaii 2003, were created to advise the Chairperson of the Board of Land and Natural Resources regarding the design and placement of warning signs, devices, or systems at public beach parks and improved public lands before the Chairperson approved the design and placement of such warning signs, devices, and systems. Your Committee further finds that these two groups are defunct and no longer necessary to effectuate proper warnings of dangers at public beach parks and improved public lands. This measure will eliminate the Task Force on Beach and Water Safety and Risk Assessment Working Group and will allow the Chairperson and mayor of the county in which a warning sign, device, or system is to be placed to quickly approve its design and placement.

Your Committee has amended this measure by:

- (1) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Water & Land that is attached to this report, your Committee is in accord with the

intent and purpose of H.B. No. 823, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 823, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 182 Water & Land on H.B. No. 1276

The purpose of this measure is to improve the management of state parks by:

- (1) Authorizing the Board of Land and Natural Resources to adopt, amend, and repeal administrative fee schedules for the Division of State Parks within the Department of Land and Natural Resources by formal board action at a publicly noticed meeting; and
- (2) Raising the expenditure ceiling for the State Parks Special Fund.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that this measure gives the Department of Land and Natural Resources the flexibility to utilize dynamic pricing and quickly respond to changing resource conditions and demands at certain state parks.

Your Committee has amended this measure by:

- (1) Specifying that an administrative fee schedule may include a fee range with a minimum and maximum to be charged;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1276, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1276, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 183 Water & Land on H.B. No. 1122

The purpose of this measure is to amend the Hawaiian Homes Commission Act to give clarity and guidance to the Department of Hawaiian Home Lands in the management of homestead lands. Specifically, this measure:

- (1) Defines "beneficiary consultation" and determines when it is required;
- (2) Prohibits the Department of Hawaiian Home Lands from disposing or extending a general lease to non-beneficiaries, unless there are no applicants seeking to enter into a general lease to the use and occupancy of a tract of Hawaiian Home Lands;
- (3) Mandates Homestead Beneficiary Agreements;
- (4) Prohibits the Department of Hawaiian Home Lands from establishing additional criteria to enter into a lease with an applicant;
- (5) Allocates the interest or other earnings from the Hawaiian home loan fund and Hawaiian home general loan fund into their respective funds;
- (6) Requires the Department of Hawaiian Home Lands to submit a quarterly report to the Legislature and beneficiaries; and
- (7) Authorizes the Department of Hawaiian Home Lands to negotiate with homestead association governed water agencies to maintain water systems prior to other service providers.

Your Committee received testimony in support of this measure from the Sovereign Council of Hawaiian Homestead Associations. Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that this measure attempts to improve the administration of the Hawaiian Homes Commission Act for the issuance of residential, farm, ranch, and mercantile lands to native Hawaiians. As this measure has the potential to improve, in significant ways, the ability of the Department of Hawaiian Home Lands in administering the Hawaiian Home Lands Trust, your Committee urges the Department of Hawaiian Home Lands to work with the Sovereign Council of Hawaiian Homestead Associations as this measure moves forward.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1122, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1122, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Ganaden, B. Kobayashi). Noes, none. Excused, 1 (McDermott).

SCRep. 184 Water & Land on H.B. No. 1124

The purpose of this measure is to amend the Hawaiian Homes Commission Act to:

- (1) Require appraisals of improvements to identify the replacement cost or the leasehold market value;
- (2) Grant authority to the Department of Hawaiian Home Lands to authorize second position loans on homestead leases by approved lenders;
- (3) Require the Department of Hawaiian Home Lands to develop and implement a loan servicing manual, subject to commission approval, to standardize loan loss mitigation policies, procedures, and methods; and
- (4) Clarify that the Department of Hawaiian Home Lands shall not cancel a lease solely based on a loan default or delinquency unless all loan loss mitigation procedures are exhausted pursuant to the loan services manual.

Your Committee received testimony in support of this measure from the Sovereign Council of Hawaiian Homestead Associations. Your Committee received

comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that this measure attempts to provide adequate improvement asset valuations, access to second position equity capital, and loan servicing best practices to native Hawaiian families on Hawaiian home lands. While your Committee recognizes the uniqueness of Hawaiian home lands, your Committee urges the Department of Hawaiian Home Lands to work with the Sovereign Council of Hawaiian Homestead Associations to find common ground on this measure as it moves through the legislative process.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1124, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1124, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (B. Kobayashi). Noes, 1 (Ganaden). Excused, 1 (McDermott).

SCRep. 185 Judiciary & Hawaiian Affairs on H.B. No. 340

The purpose of this measure is to propose an amendment to the Constitution of the State of Hawaii to require the Judicial Selection Commission to be guided by principles of merit in the selection of judicial nominations and the retention of judges and justices.

Your Committee received testimony in support of this measure from the Ad Hoc Judicial Selection Commission Steering Committee. Your Committee received comments on this measure from the Judiciary and Judicial Selection Commission.

Your Committee finds that although Hawaii's judicial selection process is depicted as a merit selection process, neither the Constitution of the State of Hawaii nor the rules of the Judicial Selection Commission require the Commission to select and retain the most qualified applicants and petitioners. Your Committee further finds that delegates of the 1978 Constitutional Convention intended for the Judicial Selection Commission to select and retain the most qualified judges and justices based on merit. This measure is intended to improve upon Hawaii's existing judicial selection process by constitutionally requiring the Judicial Selection Commission to be guided by principles of merit in the selection and retention of judges and justices.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 340 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 1 (Ward). Excused, 1 (Tokioka).

SCRep. 186 Judiciary & Hawaiian Affairs on H.B. No. 740

The purpose of this measure is to:

- (1) Make an application for voter registration, including an affidavit, part of all driver's license and state identification card applications;
- (2) Automatically register each applicant who elects to be registered to vote, unless the applicant affirmatively declines to be registered to vote; and
- (3) Require sharing of information among the counties, Department of Transportation, and election personnel.

Your Committee received testimony in support of this measure from the Office of Elections; Department of Transportation; Sierra Club of Hawai'i; Faith Action for Community Equity; Hawai'i Alliance of Nonprofit Organizations; Americans for Democratic Action Hawai'i; Young Progressives Demanding Action; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; League of Women Voters of Hawaii; Community Alliance on Prisons; American Association of University Women of Hawaii; Hawai'i Friends of Civil Rights; LGBT Caucus of the Democratic Party of Hawaii; Hawai'i Health & Harm Reduction Center; Common Cause Hawaii; AVR Hawaii Coalition; American Civil Liberties Union of Hawai'i; AARP Hawai'i; Women's Caucus of the Democratic Party of Hawaii; and numerous individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that this measure will require applicants to either automatically register to vote or affirmatively opt out of registration as part of the driver's license and identification card application process. In addition, the electronic sharing of data will help ensure the accuracy of voter registration rolls and compliance with the National Voter Registration Act of 1993 and Help America Vote Act of 2002.

Your Committee has amended this measure by:

- (1) Clarifying that an application for voter registration must be a part of the application for issuance of a provisional driver's license or instruction permit;
- (2) Deleting language that would have made databases containing driver's license, provisional license, instruction permit, or identification card information maintained or operated by the counties or Department of Transportation directly accessible to election officials and the online voter registration system;
- (3) Authorizing the Director of Transportation, rather than the Chief Election Officer, to determine other government purposes for providing election officials and the online voter registration system access to the databases maintained or operated by the counties or Department of Transportation;
- (4) Inserting language that requires an application for a driver's license, provisional license, instruction permit, or identification card to include the affidavit and voter registration application into more appropriate statutes; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 740, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 740, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Tokioka).

SCRep. 187 Judiciary & Hawaiian Affairs on H.B. No. 631

The purpose of this measure is to:

- (1) Provide judges with greater discretion to adjust the payment of fees or fines for violations of certain traffic offenses based on a person's inability to pay or financial circumstances;

- (2) Decrease the imprisonment term to contumacious nonpayment ratio; and
- (3) Increase the amount of credit given to a person committed for contumacious nonpayment.

Your Committee received testimony in support of this measure from the Judiciary, Office of the Public Defender, Community Alliance on Prisons, and three individuals.

Your Committee finds that the Financial Hardship Task Force, established pursuant to Act 112, Session Laws of Hawaii 2019, made several recommendations on how to improve the current traffic system to address the needs of those who are experiencing financial hardship. Your Committee further finds that this measure implements several recommendations from the Task Force.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 631 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Tokioka).

SCRep. 188 Judiciary & Hawaiian Affairs on H.B. No. 776

The purpose of this measure is to authorize the issuance of special purpose revenue bonds and appropriate the bond revenues derived therefrom for a master planned development proposed by Pueo Development, LLC.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands; Pueo Development, LLC; Waiohuli Hawaiian Homesteaders Association, Inc.; Hawaii Operating Engineers Industry Stabilization Fund; and five individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the development of low- and moderate-income housing, alternative energy sources, infrastructure, and economic opportunities continues to be in the public interest. Pueo Development, LLC, is a Hawaii company that offers sustainable solutions for developing low- and moderate-income housing, alternative energy, and infrastructure, while facilitating economic opportunities through project development. Pueo Development, LLC, proposes to design, build, and operate a master planned development in support of a public-private partnership with Waiohuli Hawaiian Homesteaders Association, Inc., on approximately one hundred fifty acres of Department of Hawaiian Home Lands land in Waiohuli, Maui.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 776 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Tokioka).

SCRep. 189 Pandemic & Disaster Preparedness on H.B. No. 425

The purpose of this measure is to, beginning January 1, 2022:

- (1) Prohibit the issuance of building permits for new building construction, unless the applicant provides sufficient proof the building can withstand a category four hurricane; and
- (2) Require building permits to be obtained for work performed for state government agencies on all new public buildings and requires those buildings to be designed to withstand a category five hurricane.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Hawaii Emergency Management Agency.

Your Committee finds that given the geographical location of Hawaii, the State experiences multiple tropical storm and hurricane warnings. Despite this, your Committee finds that many buildings in the State are not properly designed to withstand a strong hurricane. Your Committee believes that the State needs to be better prepared by ensuring that all new buildings are properly built to withstand certain categories of hurricanes. This measure will ensure the safety of residents and visitors of the State by establishing requirements that new buildings must be able to withstand at least a category four hurricane.

Your Committee has amended this measure by:

- (1) Changing its effective date of July 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 425, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 425, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, 1 (Ward). Excused, none.

SCRep. 190 Pandemic & Disaster Preparedness/Labor & Tourism on H.B. No. 643

The purpose of this measure is to make interfering with an essential worker during an emergency a felony.

Your Committees received testimony in support of this measure from the Hawai'i Nurses' Association OPEIU Local 50; Kohala Coast Resort Association; International Union of Bricklayers and Allied Craftworkers Local 1; International Brotherhood of Electrical Workers Local 1260; Pride at Work Hawaii; IATSE Local 665; Iron Workers Stabilization Fund; International Longshore and Warehouse Union Local 142; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii State AFL-CIO; Hawaii Operating Engineers Industry Stabilization Fund; Hawaii Airport Labor Coalition; Hawaii Fire Fighters Association; United Food and Commercial Workers 480; UNITE HERE Local 5; and four individuals. Your Committees received testimony in opposition to this measure from For Our Rights and numerous individuals. Your Committees received comments on this measure from the Department of the Attorney General and Hawaii Emergency Management Agency.

Your Committees find that the State has been in a state of emergency since March of 2020. During this time, essential workers have played a pivotal role in ensuring that necessary services are continued without disrupting the quality of life for residents. In an attempt to reduce the spread of the coronavirus, the State and counties have placed certain restrictions into effect that essential workers have had to enforce. This has caused unwarranted pushback from some individuals who disagree with the restrictions. This measure would protect essential workers during an emergency to ensure they can continue offering necessary services to residents.

Your Committees note the testimony of the Department of the Attorney General that essential workers and some of the behaviors this measure intends to prohibit would already be covered by existing felonies for assault and terroristic threatening. As to harassment, your Committees find that the current penalty of a petty misdemeanor may not be strong enough to work as a deterrent and that harassment of an essential worker during an emergency warrants its own penalty of a misdemeanor.

Your Committees have amended this measure by:

- (1) Deleting language that would have established the offense of interference with an essential worker as a class C, or class B felony if it involved assault, and all related language to this offense;
- (2) Establishing the offense of harassment against an essential worker during an emergency and making a violation a misdemeanor;
- (3) Changing its effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Pandemic & Disaster Preparedness and Labor & Tourism that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 643, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 643, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chairs on behalf of the Committees.

Pandemic & Disaster Preparedness: Ayes, 7. Noes, 2 (Wildberger, Ward). Excused, none.

Labor & Tourism: Ayes, 5. Noes, 2 (D. Kobayashi, Okimoto). Excused, 1 (Quinlan).

SCRep. 191 Energy & Environmental Protection on H.B. No. 1290

The purpose of this measure is to authorize government agencies to wheel electricity that is produced by their own facilities from renewable energy sources to another agency's facilities, subject to disallowance by the Public Utilities Commission.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from the Hawaiian Electric Company, Inc. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Public Utilities Commission, Life of the Land, and Environmental Caucus of the Democratic Party of Hawai'i.

Your Committee finds that the State continues to depend heavily upon imported petroleum for its energy needs and is falling short of its ambitious renewable energy goals. The production of clean electricity may be further encouraged if government agencies, as sellers of clean electricity, are allowed to transmit electric power from one agency's power generation to the facilities of other governmental agencies over the existing transmission lines of a third-party electric public utility.

Your Committee has amended this measure by:

- (1) Clarifying that the Public Utilities Commission may authorize government agencies to wheel electricity through the adoption of rules or by Commission order;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1290, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1290, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Tokioka). Noes, none. Excused, none.

SCRep. 192 Energy & Environmental Protection on H.B. No. 1142

The purpose of this measure is to:

- (1) Establish a surcharge on the sale of high-end gasoline-powered vehicles to fund the installation of electric vehicle charging systems; and
- (2) Establish the Electric Vehicle Charging System Subaccount within the Public Utilities Commission Special Fund.

Your Committee received testimony in support of this measure from Mission Zero Hawaii; Big Island EV Association; Ulupono Initiative; KauaiEV; Hawaiian Electric Company, Inc.; Blue Planet Foundation; Hawaii Electric Vehicle Association; Tesla, Inc.; and numerous individuals. Your Committee received testimony in opposition to this measure from the JN Group, Alliance for Automotive Innovation, and Hawaii Automobile Dealers' Association. Your Committee received comments on this measure from the Department of Taxation, Public Utilities Commission, Hawaii State Energy Office, Tax Foundation of Hawaii, Hawai'i Energy, and one individual.

Your Committee finds that electric vehicles play an important role in Hawaii's clean energy future. However, the lack of adequate vehicle charging infrastructure has become a major barrier to increasing the adoption of electric vehicles. This measure ensures that more parking facilities will be able to accommodate electric vehicle charging stations.

Your Committee notes that the Department of Taxation requested in its testimony that the new surcharge be effective no earlier than January 1, 2022, to give the Department sufficient time to implement the necessary administrative changes. Your Committee further notes that the ceiling of the Public Utilities Commission Special Fund should be adjusted to allow for the expenditures provided by this measure.

Your Committee has amended this measure by:

- (1) Deleting provisions relating to requirements for filing a short period annual return;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1142, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1142, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Matayoshi, Matsumoto). Noes, 1 (Tokioka). Excused, none.

SCRep. 193 Energy & Environmental Protection on H.B. No. 550

The purpose of this measure is to:

- (1) Require and establish deadlines for state facilities, except smaller facilities and facilities at Aloha Stadium, to implement cost-effective energy efficiency measures;
- (2) Direct the Hawaii State Energy Office to collect and make publicly available utility bill and energy usage data for state-owned buildings;
- (3) Provide that certain agencies that perform energy efficiency retrofitting may continue to receive appropriations for energy expenditures at an amount that accounts for any costs or debt service for the implementation and management of energy efficiency measures; and
- (4) Beginning July 1, 2021, require, where feasible and cost-effective, the design of all new state building construction to maximize energy and water efficiency, maximize energy generation potential, and use building materials that reduce the carbon footprint of the project.

Your Committee received testimony in support of this measure from the Climate Protectors of Hawaii, Ulu pono Initiative, Blue Planet Foundation, Hawai'i Energy, International Brotherhood of Electrical Workers Local 1260, and one individual. Your Committee received comments on this measure from the Department of Accounting and General Services, Department of Education, Hawaii State Energy Office, and Johnson Controls, Inc.

Your Committee finds that with the budget deficit the State is currently facing, it is imperative for all state departments to control their energy usage and lower their utility bills. This measure would prioritize energy efficiency as the first and most cost-effective step in smart energy management and generates new jobs in the energy sector at a time when they are badly needed.

Your Committee has amended this measure by:

- (1) Including findings relating to the functions of the Hawaii State Energy Office;
- (2) Deleting provisions that would have specified the simple payback period;
- (3) Amending the definitions of "cost-effective energy efficiency measure" and "energy efficiency measure";
- (4) Inserting language that establishes a goal for the State to achieve at least a twenty-five percent reduction in the electricity consumption of state facilities;
- (5) Allowing costs for maintenance of energy efficiency measures by agencies that perform energy efficiency retrofitting to be covered by budget appropriations;
- (6) Specifying that the design requirements for all new state building construction shall begin on July 1, 2022;
- (7) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (8) 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 550, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 550, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 194 Energy & Environmental Protection on H.B. No. 1319

The purpose of this measure is to:

- (1) Establish a refundable tax credit to mitigate the effect of a carbon emissions tax on taxpayers; and
- (2) Amend the Environmental Response, Energy, and Food Security Tax to address carbon emissions.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Climate Change Mitigation and Adaptation Commission; Americans for Democratic Action Hawai'i; Faith Action for Community Equity; Imua Alliance; Ulu pono Initiative; Hawaii Island Chapter, Citizens' Climate Lobby; Faith Action Environmental Justice Task Force; Climate Protectors Coalition; Human Environmental Impacts Committee of the Environmental Caucus of the Democratic Party of Hawai'i; Foresight/Policy Analysis; Blue Planet Foundation; and numerous individuals. Your Committee received testimony in opposition to this measure from the Chamber of Commerce Hawaii, Hawaii Food Industry Association, Hawaii Transportation Association, Retail Merchants of Hawaii, and three individuals. Your Committee received comments on this measure from the Department of Taxation, Department of the Attorney General, Hawaii State Energy Office, Tax Foundation of Hawaii, Life of the Land, Hawaii Automobile Dealers' Association, and Sierra Club of Hawai'i.

Your Committee finds that climate change is the most critical issue confronting the State. Putting a price on pollution, while giving revenues back to low- and moderate-income residents, will accelerate Hawaii's transition to a clean energy and transportation future without placing a burden on Hawaii's working families.

Your Committee has amended this measure by:

- (1) Blanking the amounts specified for the tax credit to mitigate the effect of a carbon emissions tax;
- (2) Blanking the amounts specified for the Environmental Response, Energy, and Food Security Tax to address carbon emissions;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1319, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1319, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Matayoshi, Perruso, Tokioka, Matsumoto). Noes, none. Excused, none.

SCRep. 195 Energy & Environmental Protection on H.B. No. 1350

The purpose of this measure is to require and appropriate funds for the Environmental Council, in consultation with the Department of Health, Department of Land and Natural Resources, University of Hawaii, and relevant stakeholders, to establish an interactive statewide tool for assessing and mapping environmental justice communities in the State.

Your Committee received testimony in support of this measure from the EcoTipping Points Project, 350Hawaii, Sierra Club of Hawai'i, and three individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Office of Environmental Quality Control.

Your Committee finds that every Hawaii resident deserves and has a right to clean air, drinking water, and a safe community. This measure will help oppressed communities experience the benefits of a healthy and sustainable future through an innovative mapping tool.

Your Committee has amended this measure by:

- (1) Designating the Office of Planning, instead of the Environmental Council, to establish a statewide tool to identify economic justice communities;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1350, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1350, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 196 Energy & Environmental Protection on H.B. No. 410

The purpose of this measure is to require and appropriate funds for eighth grade and twelfth grade students in Hawaii public schools and University of Hawaii undergraduate students to plant trees.

Your Committee received testimony in support of this measure from the Faith Action Environmental Justice Task Force, Kupu, and two individuals. Your Committee received comments on this measure from the Department of the Attorney General, University of Hawai'i System, Department of Education, Department of Land and Natural Resources, and Trees for Honolulu's Future.

Your Committee finds that pursuing educational programs and projects that promote environmental protection, biodiversity, and climate change mitigation helps youth to cultivate socially responsible and conscious citizenry. This measure ensures the protection and restoration of Hawaii's environment and natural resources, while developing students into environmentally conscious adults.

Your Committee has amended this measure by:

- (1) Deleting language that would have required and appropriated funds for eighth grade and twelfth grade students in Hawaii public schools and University of Hawaii undergraduate students to plant trees;
- (2) Inserting language that requires and appropriates funds for the Department of Education to establish a pilot program where students can receive graduation credit for planting trees;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 410, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 410, H.D. 1, and be referred to your Committees on Education and Higher Education & Technology.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 197 Energy & Environmental Protection on H.B. No. 856

The purpose of this measure is to:

- (1) Broaden the definition of "food waste" as used in integrated solid waste management;
- (2) Exclude certain facilities designed primarily for composting organic material from the requirement that waste or disposal facilities shall not be constructed, modified, or expanded without first establishing a buffer zone of no less than one-half mile from the nearest residential, school, or hospital property line; and
- (3) Establish a class of artisan-scale composting operations exempt from Department of Health regulations to divert organic materials from Hawaii's landfills.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i, Climate Protectors Coalition, West Maui Green Cycle, Zero Waste Maui, and four individuals. Your Committee received comments on this measure from the Department of Health, Hawai'i Farm Bureau, and one individual.

Your Committee finds that the State's integrated solid waste management goals are to reduce the solid waste stream prior to disposal through source reduction, recycling, and bioconversion. This measure furthers the State's waste management goals and ensures progress toward managing the State's waste by addressing the urgent need to expand the State's capacity for capturing and processing the organic waste its residents and visitors generate.

Your Committee has amended this measure by:

- (1) Inserting findings that clarify the purpose of this measure;
- (2) Deleting language that would have broadened the definition of "food waste";
- (3) Inserting language that prohibits federal agencies from constructing, operating, modifying, expanding, or closing a municipal solid waste landfill unit without first obtaining a permit;

- (4) Clarifying that composting facilities are excluded from buffer zone requirements, including deleting the definitions for "recycling drop-off facility" and "waste or disposal facility";
- (5) Deleting findings relating to the use of composted organics;
- (6) Clarifying the provisions of the Artisan-scale Composting Program, including establishing disclosure requirements and acceptable waste rules and specifying the definition for "artisan-scale composting operation";
- (7) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (8) 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 856, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 856, H.D. 1, and be referred to your Committee on Water & Land.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Tokioaka). Noes, none. Excused, none.

SCRep. 198 Energy & Environmental Protection on H.B. No. 1349

The purpose of this measure is to:

- (1) Require the Department of Health to:
 - (A) Establish a multi-tiered registration and permitting system for all classes of solid waste composting facilities; and
 - (B) Update its co-composting rules by January 1, 2023, and every ten years thereafter; and
- (2) Permit composting and co-composting operations in agricultural districts.

Your Committee received testimony in support of this measure from the Office of Economic Development of the County of Kauaʻi, Climate Protectors Coalition, Zero Waste Oahu, and four individuals. Your Committee received testimony in opposition to this measure from the Department of Health. Your Committee received comments on this measure from the Department of Agriculture, Land Use Commission, and Hawaiʻi Farm Bureau.

Your Committee finds that landfills in the State are rapidly reaching capacity and facing the burden of closure and re-siting, a process that will be costly to the counties and create community resentment. Clarifying the composting and co-composting regulations will greatly increase the number of operators diverting organics from landfills and incinerators, which will aid the State and counties in reaching their sustainability, resilience, and fiscal goals.

Your Committee has amended this measure by:

- (1) Clarifying certain findings relating to composting;
- (2) Deleting language that would have required the Department of Health to establish a multi-tiered registration and permitting system for all classes of solid waste composting facilities;
- (3) Deleting language that would have required the Department of Health to update its co-composting rules by January 1, 2023, and every ten years thereafter;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1349, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1349, H.D. 1, and be referred to your Committee on Health, Human Services, & Homelessness.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 199 Agriculture on H.B. No. 1323

The purpose of this measure is to establish a regulatory structure for the establishment of common interest agricultural communities on lands classified as agricultural by using the Uniform Common Interest Ownership Act, which is the template for Hawaii's condominium law.

Your Committee received testimony in support of this measure from Aloun Farms and two individuals. Your Committee received comments on this measure from the Department of Agriculture, Office of Planning, and Associa.

Your Committee finds that this measure promotes the development of agriculture in Hawaii and finds a balance in the law to distinguish agricultural communities from residential condominium developments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1323, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1323, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 200 Transportation on H.B. No. 824

The purpose of this measure is to require carriers to file reports with the applicable county liquor commission or county liquor control adjudication board on a monthly basis.

Your Committee received testimony in support of this measure from the Hawaii Liquor Wholesalers Association. Your Committee received comments on this measure from the Matson Navigation Company, Inc.

Your Committee finds that a number of out-of-state manufacturers and retailers ship wine to residents without holding the proper direct wine shipper permits. These shippers evade payment of the general excise tax required by businesses that hold direct wine shipper permits. This measure will enable county liquor commissions and liquor control adjudication boards to monitor the amount of liquor that is shipped into the State and determine whether the shipper has complied with permitting requirements, thereby ensuring that the State can collect necessary tax revenue.

Your Committee has amended this measure by:

- (1) Specifying that the monthly report of shipments is submitted to the liquor commission or liquor control adjudication board of each county, rather than just the county in which the delivery is made;
- (2) Changing the preservation requirement for the reports from four years to three years;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 824, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 824, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 201 Transportation on H.B. No. 333

The purpose of this measure is to establish rules, regulations, and procedures for peer-to-peer car sharing.

Your Committee received testimony in support of this measure from the Department of Transportation, Enterprise Holdings, Turo Inc., TechNet, Internet Association, Avail, and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice. Your Committee received comments on this measure from the Department of Taxation, Insurance Division of the Department of Commerce and Consumer Affairs, Office of Consumer Protection of the Department of Commerce and Consumer Affairs, Tax Foundation of Hawaii, and one individual.

Your Committee finds that peer-to-peer car-sharing programs provide an alternative form of transportation for persons who do not own a car, nor wish to use public transportation. Peer-to-peer car-sharing has the potential to reduce traffic congestion and greenhouse gas emissions by encouraging individuals to share access to cars rather than owning one themselves. However, currently, peer-to-peer car-sharing lacks certain protections for the car owner and drivers. This measure will allow consumers to take full advantage of peer-to-peer car-sharing programs with assurances that certain safeguards are in place.

Your Committee notes that existing law authorizes the Airport Division of the Department of Transportation to establish policies and rules governing use and access to the airports' premises. As such, peer-to-peer car-sharing programs will be subject to these rules when operating at the airport.

Your Committee recognizes the testimony of the Office of Consumer Protection regarding various consumer protection concerns. Therefore, your Committee requests that should your Committee on Consumer Protection & Commerce hear this measure, that they work with the Office of Consumer Protection to address these concerns.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 333, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 333, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 202 Transportation on H.B. No. 485

The purpose of this measure is to increase the rental motor vehicle surcharge tax from \$5 to \$8 beginning January 1, 2023.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received testimony in opposition to this measure from the Avis Budget Group and Enterprise Holdings. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that rental motor vehicles make up a large proportion of public highway users, causing wear and tear on the State's roads. Your Committee believes that as the proportion of rental motor vehicles increases on the State's roadways, there must be an equal financial increase to offset the damage done to the State's roads. This measure will provide safer infrastructure enhancements for all users of the State's roads by increasing the amount of the rental motor vehicle surcharge.

Your Committee has amended this measure by:

- (1) Changing the rental motor vehicle surcharge tax to a blank amount; and
- (2) Changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 485, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 485, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 203 Transportation on H.B. No. 598

The purpose of this measure is to:

- (1) Establish the offense of unlawful shipment of tobacco products;

- (2) Include electronic smoking devices and substances used in electronic smoking devices within the definition of "tobacco products", as used in the cigarette tax and tobacco tax law;
- (3) Increase the license fee for persons engaged as a wholesaler or dealer of cigarettes and tobacco products;
- (4) Increase the retail tobacco permit fee for retailers engaged in the retail sale of cigarettes and tobacco products;
- (5) Fund health education and prevention programs concerning the risks and dangers of the use of electronic smoking devices for youth; and
- (6) Repeal various statutory provisions relating to electronic smoking devices.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Dental Association, Hawaii Substance Abuse Coalition, Friends of Kamalani and Lydgate Park, Blue Zones Project, Hawai'i Public Health Institute, Cancer Action Network, Hawaii State Teachers Association, AlohaCare, American Heart Association, The Man Cave, and eighteen individuals. Your Committee received testimony in opposition to this measure from the American Vaping Association, Americans for Tax Reform, VOLCANO Vape Shops, Retail Merchants of Hawaii, Hawaii Smokers Alliance, Vapor Bar Inc., and numerous individuals. Your Committee received comments on this measure from the Department of Taxation, Department of the Attorney General, Tax Foundation of Hawaii, Hawaii Food Industry Association, and Hawaii Primary Care Association.

Your Committee finds that the use of electronic smoking devices has been increasing exponentially and electronic cigarette use is especially popular among youth in Hawaii. While the use of electronic cigarettes by youths has risen nationally, use in Hawaii by youths is even higher. Your Committee further finds that the rapid growth of the electronic smoking device industry necessitates further regulation to protect consumers. Your Committee believes that certain measures must be taken to deter the use of electronic smoking devices, especially by the youth.

Your Committee has amended this measure by:

- (1) Removing the definition of "tobacco products" that would have taxed electronic smoking devices and substances used in electronic smoking devices for purposes of the cigarette tax and tobacco tax law;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 598, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 598, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 204 Economic Development on H.B. No. 1314

The purpose of this measure is to:

- (1) Authorize each county to levy a county surcharge on transient accommodations tax if the county satisfies certain real property tax requirements;
- (2) Repeal the allocation of transient accommodations tax revenue to the counties and make conforming amendments;
- (3) Establish a Residential Property Owner Tax Credit and a Residential Circuit Breaker Tax Credit; and
- (4) Beginning with taxable years after December 31, 2021, gradually implement new individual income tax and corporation income tax brackets and rates in three-year intervals.

Your Committee received testimony in opposition to this measure from the Mayor of the County of Maui, Mayor of the County of Kaua'i, Kohala Coast Resort Association, Maui Chamber of Commerce, and one individual. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, and Tax Foundation of Hawaii.

Your Committee finds that the current property tax structure caters to non-residents and burdens local residents, which places a financial burden on local residents who own real property and use it as their principal residence, particularly the senior population and first-time home buyers. By restructuring the transient accommodations tax and eliminating income tax for Hawaii residents over time, this measure would help lessen the financial burden of the State and its residents, improve the cost of living, and increase the housing supply for residents.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1314, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1314, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, 1 (Okimoto). Excused, none.

SCRep. 205 Economic Development on H.B. No. 286

The purpose of this measure is to:

- (1) Require a real estate investment trust to notify the Department of Taxation of its presence within the State and to report certain tax information; and
- (2) Impose a daily monetary fine for noncompliance.

Your Committee received testimony in support of this measure from Faith Action for Community Equity, International Longshore & Warehouse Union Local 142, Hawaii State Teachers Association, Imua Alliance, Democratic Party of Hawai'i Education Caucus, Faith Action, LGBT Caucus of the Democratic Party of Hawaii, Trinity United Methodist Church, Hawai'i Alliance for Progressive Action, Young Progressives Demanding Action, and numerous individuals. Your Committee received testimony in opposition to this measure from Park Hotels & Resorts, Inc.; and Securities Industry Association of Hawaii. Your Committee received comments on this measure from the Department of Taxation, NAIOP Hawaii, Douglas Emmett, Tax Foundation of Hawaii, Nareit Hawaii, and Alexander & Baldwin.

Your Committee finds that real estate investment trusts play a significant role in Hawaii's economy and the State would benefit from the accurate collection of data about their economic activities. As Hawaii faces major budget shortfalls this year and several years to come, it is imperative that all corporations provide accurate reporting of their assets and revenues generated.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Taxation may require a real estate investment trust to notify the Department of the trust's presence within the State and report the assets and revenues generated annually;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 286, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 286, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 206 Economic Development on H.B. No. 1048

The purpose of this measure is to make various technical amendments to chapters 243, 244D, and 245, Hawaii Revised Statutes, under the jurisdiction of the Department of Taxation.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that it is necessary to amend and repeal various provisions of title 14 of the Hawaii Revised Statutes for the purposes of correcting errors and references, clarifying language, or deleting obsolete or unnecessary provisions. This measure adds clarity to the law and allows for more effective administration of the State's tax laws by the Department of Taxation.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1048, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1048, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 207 Economic Development on H.B. No. 1208

The purpose of this measure is to propose an amendment to the Hawaii State Constitution to repeal the exclusive power of the counties as to the functions, powers, and duties relating to the taxation of real property and authorize the State to also exercise those functions, powers, and duties.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association and one individual. Your Committee received testimony in opposition to this measure from the Mayor of the County of Maui, Mayor of the County of Kaua'i, Chamber of Commerce Hawaii, Hawai'i Association of REALTORS, Rental By Owner Awareness Association, Maui Chamber of Commerce, and one individual. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that Hawaii has one of the highest income tax rates and the lowest real property tax rates in the nation. These tax strategies result in a disproportionate amount of the overall tax burden being placed on the residential workforce, who in turn effectively subsidize non-residents' real estate investments in Hawaii. This measure provides the State with authority to exercise the functions, powers, and duties of real property taxation for greater flexibility and control of its taxation policies.

Your Committee has amended this measure by:

- (1) Inserting the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1208, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1208, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, 1 (Okimoto). Excused, none.

SCRep. 208 Economic Development on H.B. No. 1209

The purpose of this measure is to require the Department of Taxation, by January 1, 2026, to suspend and refund certain income tax amounts received or withheld, upon the enactment of a state law specifying for the levy and assessment of real property taxes.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that more non-residents are investing in Hawaii real estate due to the low property tax rates imposed by the counties. This measure gives the State the authority to determine real property taxes, which would provide the State with greater flexibility and control in its taxation of residents and non-residents.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and

- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1209, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1209, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, 1 (Okimoto). Excused, none.

SCRep. 209 Transportation/Housing on H.B. No. 1130

The purpose of this measure is to:

- (1) Require the Office of Planning to hire a contractor to, among other things, identify and assess alternative financing, project delivery, and cost recovery mechanisms to recapture the State's upfront investment in transit-oriented development infrastructure;
- (2) Require the contractor to consult with representatives of certain government entities;
- (3) Require the Office of Planning to report to the Legislature on its findings and recommendations; and
- (4) Appropriate funds.

Your Committees received testimony in support of this measure from the Office of Planning and one individual.

Your Committees find that transit-oriented development will play a key role in solving the lack of affordable housing in the State. However, your Committees note that there are barriers to the timely delivery of public infrastructure. Infrastructure deficits are one of the biggest barriers to achieving transit-oriented development statewide. This measure will maximize the use of value capture mechanisms to help offset the significant upfront costs of public infrastructure investment, thereby overcoming these barriers to provide transit-oriented development in the State.

Your Committees have amended this measure by:

- (1) Deleting the general fund appropriation and instead authorizing the Director of Finance to issue general obligation bonds in an unspecified amount;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

While your Committees have inserted a blank general obligation bond amount, the original amount to be appropriated out of the general revenues for this measure was \$300,000. As this measure proceeds through the legislative process, your Committees ask that the original appropriation amount be taken into consideration.

As affirmed by the records of votes of the members of your Committees on Transportation and Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1130, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1130, H.D. 1, and be referred to your Committee on Water & Land.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 8. Noes, none. Excused, none.

Housing: Ayes, 8. Noes, none. Excused, none.

SCRep. 210 Pandemic & Disaster Preparedness on H.B. No. 503

The purpose of this measure is to:

- (1) Authorize boards to hold a remote meeting by interactive conference technology without being required to allow the public to join at nonpublic locations;
- (2) Establish new notice requirements as well as requirements for the conduct of remote meetings;
- (3) Authorize boards to require members of the public attending a meeting to provide their names and contact information and abide by certain rules when the Governor has declared a state of emergency for a contagious illness;
- (4) Authorize in-person meetings at multiple public meeting sites connected by interactive conference technology, under certain circumstances; and
- (5) Allow for additional courtesy sites open to the public for remote and in-person meetings held by interactive conference technology.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Public Housing Authority, Land Use Commission, Office of Information Practices, Hawai'i Civil Rights Commission, Office of the Board of Regents of the University of Hawai'i, one member of the Maui County Council, League of Women Voters, Common Cause Hawaii, All Hawaii News, The Civil Beat Law Center for the Public Interest, National Federation of the Blind of Hawaii, Big Island Press Club, Society of Professional Journalists Hawaii Chapter, and eleven individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and one individual.

Your Committee finds that the COVID-19 pandemic forced the implementation of emergency measures that suspended certain requirements of Hawaii's Sunshine Law in order to allow boards to continue meeting and conducting necessary business, while protecting participants' health and safety and expanding access to public meetings throughout the State. In lieu of traditional in-person meetings, remote meetings connected people in different physical locations through the use of interactive conference technology and thus safely enabled and expanded public participation by people from different islands or parts of the islands when many would not otherwise be able to leave their work, homes, or schools to participate in a traditional in-person meeting.

Your Committee further finds that when the Governor's emergency orders are eventually lifted, amendments to the Sunshine Law are needed to allow boards to continue to remotely conduct public meetings, while retaining the option to conduct in-person meetings, either at a single location or multiple locations, and providing public access standards appropriate for remote meetings in normal, nonemergency times.

Your Committee received testimony regarding the requirement that a quorum of board members be visible in a remote meeting and whether that requirement should be eliminated or expanded to all board members and staff. Your Committee finds that the requirement of a quorum of board members to be visible is a reasonable compromise. Your Committee received clarifying testimony from the Office of Information Practices that if a quorum of board members is visible but a board member has to turn off their video for a few minutes, quorum will not be lost due to the brief absence of a board member from the room. It is your Committee's intent that the new visibility requirement be applied in a reasonable manner by the Office of Information Practices, similar to when a board member leaves the room for a bathroom break.

Your Committee recognizes the importance of ensuring that Hawaii's government follows the accessibility standards required by state and federal law and is supportive of technology that provides accessibility for individuals with disabilities. Your Committee finds that this measure aims to strike an appropriate

balance between public access and the use of technology to conduct board business without being overly burdensome, including during a state of emergency. However, your Committee notes that currently it is unclear as to which authority is responsible for enforcing state and federal disability laws. Therefore, your Committee requests that should your Committee on Judiciary & Hawaiian Affairs hear this measure, that they look at which state agency should be responsible for enforcing state and federal disability laws for purposes of remote meetings.

Your Committee has amended this measure by:

- (1) Clarifying that a location that is open to the public may include public libraries;
- (2) Requiring information posted electronically to conform to the standards for accessible electronic information and information technology set forth by federal laws;
- (3) Expanding the definition of "interactive conference technology" to require accessibility by individuals with disabilities;
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 503, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 503, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 211 Pandemic & Disaster Preparedness on H.B. No. 540

The purpose of this measure is to make a health care provider who acts in good faith during an emergency immune from civil or criminal liability if they adhere to crisis standards of care.

Your Committee received testimony in support of this measure from the Hawai'i State Center for Nursing, Hawaii Primary Care Association, The Queen's Health Systems, and three individuals. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice and one individual. Your Committee received comments on this measure from one individual.

Your Committee finds that concerns were raised during the hearing regarding the broadness of the language in this measure and that it may have unintended effects on certain at-risk populations who may not have the ability to defend themselves from bad actors. Therefore, your Committee requests that should your Committee on Judiciary & Hawaiian Affairs hear this measure, that it take into consideration the concerns raised regarding the broadness of the immunity provided to healthcare providers by this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 540, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 540, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (McKelvey). Noes, 1 (Ward). Excused, none.

SCRep. 212 Pandemic & Disaster Preparedness/Health, Human Services, & Homelessness on H.B. No. 472

The purpose of this measure is to:

- (1) Exempt telehealth-related gifts from procurement requirements; and
- (2) Make permanent certain telehealth-related exemptions for licensed health professions issued by recent gubernatorial proclamations.

Your Committees received testimony in support of this measure from the Kokua Kalihi Valley; Hawaii Primary Care Association; Waianae Coast Comprehensive Health Center; Hawai'i Psychological Association; Bay Clinic Inc.; Lāna'i Community Health Center; and one individual. Your Committees received testimony in opposition to this measure from the Hawaii Association of Health Plans and Hawaii Association of Professional Nurses. Your Committees received comments on this measure from the Department of Health, Department of Human Services, Hawai'i State Center for Nursing, Hawaii Medical Service Association, and The Queen's Health Systems.

Your Committees find that the coronavirus disease 2019 (COVID-19) pandemic has drastically altered how people access health care services. The ability of being able to access healthcare from the safety of your own home has gained popularity due to COVID-19 concerns. Telehealth has significantly expanded over the course of this pandemic to better accommodate patients and ensure their safety. Your Committees further find that Act 157, Session Laws of Hawaii 2014, included advanced practice registered nurses in telehealth practice advancements. As such, your Committees believe that advanced practice registered nurses practicing telehealth should be allowed to issue or distribute a written prescription for a controlled substance when not physically in the State.

Your Committees note the concern raised in testimony regarding the State's ability to determine telephone contact as a form of telehealth due to existing federal rules set forth regarding Medicare and Medicaid.

Accordingly, your Committees have amended this measure by:

- (1) Codifying the authorization of advanced practice registered nurses to use telehealth to assist a patient, including those advanced practice registered nurses who are not licensed in the State, under certain conditions;
- (2) Providing that advanced practice registered nurses are not prohibited from issuing or distributing a written prescription or issuing an oral prescription for a controlled substance when not physically in the State;
- (3) Specifying that reimbursement for services provided through telehealth does not include services provided through standard phone contacts;
- (4) Inserting a purpose section;
- (5) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Pandemic & Disaster Preparedness and Health, Human Services, & Homelessness that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 472, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 472, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Pandemic & Disaster Preparedness: Ayes, 9. Noes, none. Excused, none.

Health, Human Services, & Homelessness: Ayes, 7. Noes, none. Excused, 1 (Gates).

SCRep. 213 Pandemic & Disaster Preparedness/Labor & Tourism on H.B. No. 1286

The purpose of this measure is to:

- (1) Exempt any person from post-arrival mandatory self-quarantine if the person receives a negative test result prior to arrival;
- (2) Authorize the Department of Health to establish conditions for exemptions;
- (3) Require certain COVID-19 tests for travelers who do not have a test result upon arrival; and
- (4) Require any person who receives a positive test post-arrival to be responsible for all costs associated with their mandatory self-quarantine.

Your Committees received testimony in support of this measure from the Hawaii Medical Service Association, Kohala Coast, Grande's Gems and Gallery, Hawaii Food Industry Association, Chamber of Commerce Hawaii, Rental By Owners Awareness Association, Hawai'i Lodging and Tourism Association, Airlines for America, Napili Kai Beach Resort, Four Seasons Resort Maui at Wailea, Roberts Hawaii, Springboard Hospitality, Hawai'i Food and Wine Festival, Prince Waikiki, Mauna Kea Resort, Sheraton Kauai Resort, Waikiki Resort Hotel, TS Restaurants, Waikiki Improvement Association, Courtyard by Marriot Oahu, Maui Seaside Hotel, Waikoloa Beach Marriott Resort and Ocean Club, Embassy Suites, and numerous individuals. Your Committees received testimony in opposition to this measure from the Anaina Hou Community Park and numerous individuals. Your Committees received comments on this measure from the Department of Health, Hawaii Emergency Management Agency, Hawai'i Tourism Authority, and three individuals.

Your Committees find that in an attempt to reduce the spread of the SARS-Cov-2 virus, the State of Hawaii implemented the nation's first post-arrival mandatory self-quarantine. This drastically reduced the number of positive cases in the State, leading Hawaii to having one of the lowest positivity rates in the nation. However, as a result of the lockdown, Hawaii went from having the lowest unemployment rate in the country to one of the highest. While the lockdown succeeded in reducing COVID-19 cases in the State, the economic impact on the State is unprecedented.

Your Committees further find that in order to begin stimulating the economy, the Safe Travels Program was implemented to allow an individual who could provide a negative COVID-19 test from a trusted testing partner to bypass the mandatory self-quarantine. Currently, under the direction of the Governor, each county is authorized to establish their own rules regarding the Safe Travels Program, or even opt out of the program completely. This has caused discrepancies in mandatory self-quarantine rules between each county, creating confusion and difficulties for residents and visitors. Your Committees believe that a key step in bringing the State back to its pre-2020 economic status is establishing a uniform law regarding mandatory self-quarantine rules and requirements.

Your Committees have amended this measure by:

- (1) Based on the recommendation provided by the Department of Health, clarifying that the Incident Commander, instead of the Department of Health, will establish conditions when a person is automatically exempt from the mandatory self-quarantine;
- (2) Specifying that any person who does not obtain a negative test result prior to arrival in the State will be responsible for all costs associated with that person's mandatory self-quarantine and isolation;
- (3) Replacing the Department of Health with the State Safe Travels Program as the entity responsible for approving an acceptable COVID-19 test for purposes of the program;
- (4) Inserting a purpose section;
- (5) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Pandemic & Disaster Preparedness and Labor & Tourism that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1286, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1286, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chairs on behalf of the Committees.

Pandemic & Disaster Preparedness: Ayes, 8; Ayes with Reservations (McKelvey, Ward). Noes, 1 (Wildberger). Excused, none.

Labor & Tourism: Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 214 Pandemic & Disaster Preparedness on H.B. No. 572

The purpose of this measure is to:

- (1) Specify that the Hawaii Emergency Management Agency is administratively attached, rather than established within, the Department of Defense; and
- (2) Require the Governor, rather than the Director of the Hawaii Emergency Management Agency, to appoint the Administrator of Emergency Management.

Your Committee received testimony in support of this measure from the Hawaii Emergency Management Agency.

Your Committee finds that under existing law, the Administrator of Emergency Management is appointed by the Director of the Hawaii Emergency Management Agency, who is the Adjutant General. Your Committee believes that given the importance of the responsibility of the Administrator of Emergency Management and their role in protecting the State and its residents, the Governor is the more appropriate appointing authority, rather than the Director of the Hawaii Emergency Management Agency.

Your Committee has amended this measure by:

- (1) Making the Administrator of Emergency Management the Director of the Hawaii Emergency Management Agency instead of the Adjutant General and making conforming amendments;
- (2) Specifying that the Administrator of Emergency Management shall report directly to the Governor;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 572, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 572, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 1 (Woodson).

SCRep. 215 Corrections, Military, & Veterans on H.B. No. 796

The purpose of this measure is to update the reporting requirements of the Department of Public Safety when employees and inmates die at correctional facilities and community correctional centers, including:

- (1) Requiring race and ancestry of the decedent to be included in the report;
- (2) Requiring the report to cite to any authority relied upon by the Department of Public Safety in determining that information to be included in the report is protected from disclosure by state or federal law; and
- (3) Making a copy of the report public and readily available to the decedent's family and press upon the Governor's receipt of the report.

Your Committee received testimony in support of this measure from the Office of the Public Defender, one member of the Kauai County Council, Community Alliance on Prisons, Kokua Kalihi Valley, and twelve individuals. Your Committee received testimony in opposition to this measure from the Department of Public Safety. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the added reporting requirements in this measure increase transparency, accountability, and accessibility of information to the decedent's family and the public. However, your Committee finds that whether an inmate's death was caused by an injury sustained while incarcerated may take additional time to resolve. Your Committee also notes that ancestry may be difficult to ascertain and that delays in notification of the decedent's family can sometimes occur because of outdated contact information.

Accordingly, your Committee has amended this measure by:

- (1) Removing language requiring the report to contain a finding of whether the inmate's death was caused by an injury sustained by the inmate while incarcerated;
- (2) Removing the decedent's ancestry from the reporting requirements;
- (3) Changing the timing for the Director of Public Safety to make the report public and readily available to the decedent's family and the press from the date upon which the Governor receives the report to the date the Director receives the medical examiner's report; and
- (4) Changing the effective date to July 1, 3050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 796, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 796, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Branco, McDermott). Noes, none. Excused, 1 (Kong).

SCRep. 216 Culture, Arts, & International Affairs on H.B. No. 840

The purpose of this measure is to recognize American Sign Language as a fully developed, autonomous, natural language with its own grammar, syntax, vocabulary, and cultural heritage.

Your Committee received testimony in support of this measure from the Hawaii Civil Rights Commission, Disability and Communication Access Board, and four individuals.

Your Committee finds that although the State recognizes American Sign Language as a world language for public school purposes, further measures are needed to advance the understanding and acknowledgement that American Sign Language is a unique language and not merely signed English.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2065, to encourage further discussion; and
- (2) 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 Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 840, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 840, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ward).

SCRep. 217 Culture, Arts, & International Affairs on H.B. No. 678

The purpose of this measure is to:

- (1) Establish Lā Kū'oko'a, Hawaiian Recognition Day, as an official state holiday; and
- (2) Remove Election Day as an official state holiday.

Your Committee received testimony in support of this measure from Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and five individuals. Your Committee received comments on this measure from Common Cause Hawaii.

Your Committee finds that Lā Kū'oko'a was originally established in 1847 by King Kamehameha III to recognize and celebrate Hawaii's recognition as an emerging power by the global powers of the time. Your Committee further finds that Lā Kū'oko'a was celebrated as a national holiday by the Provisional Government of Hawaii, the Republic of Hawaii, and through the initial years of the Territory of Hawaii.

Your Committee has amended this measure by:

- (1) Reinstating Election Day as an official state holiday;

- (2) Changing the effective date to July 1, 2065, to encourage further discussion; 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 Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 678, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 678, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 218 Culture, Arts, & International Affairs on H.B. No. 623

The purpose of this measure is to appropriate federal funds to support the Bernice Pauahi Bishop Museum, designated as the State of Hawaii Museum of Natural and Cultural History.

Your Committee received testimony in support of this measure from the Historic Hawaii Foundation, Bishop Museum, and one individual.

Your Committee finds that creating a vehicle to allow the Bernice Pauahi Bishop Museum to accept and expend federal funds is critical to ensure the museum's collections of Hawaiian and oceanic cultural, historical, and biological artifacts are properly preserved, protected, and maintained.

Your Committee has amended this measure by:

- (1) Changing the fiscal year for the appropriation to allow the Bernice Pauahi Bishop Museum to expend funds in the current fiscal year, should such funding become available; and
- (2) Changing the effective date to July 1, 2065, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 623, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 623, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (LoPresti, Ward).

SCRep. 219 Culture, Arts, & International Affairs on H.B. No. 625

The purpose of this measure is to:

- (1) Extend the date on which the Temporary Commission on the Thirteenth Festival of Pacific Arts shall cease to exist to August 31, 2025; and
- (2) Permit members of the Commission to discuss matters relating to official board business without regard to public noticing and Sunshine Law requirements.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development and Tourism; Hawaii Tourism Authority; Hawaii Lodging & Tourism Association; and one individual. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that the global COVID-19 pandemic requires postponing the Thirteenth Festival of Pacific Arts, which was originally scheduled for June 2020. Your Committee further finds that because of the necessary public health measures taken to combat COVID-19, allowing Commission members to meet and discuss matters relating to official board without regard to public noticing and Sunshine Law requirements will enable the members to faithfully perform their duties.

Your Committee notes the concerns raised by the Office of Information Practices that this measure does not provide specific situations that would fall outside of existing Sunshine Law exemptions and would allow the Temporary Commission on the Thirteenth Festival of Pacific Arts (Commission) to provide public notice, hear public testimony, and keep minutes on meetings only when and to the extent the Commission wished to.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2065, to encourage further discussion; and
- (2) 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 Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 625, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 625, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 220 Culture, Arts, & International Affairs on H.B. No. 755

The purpose of this measure is to exclude buildings developed by the Department of Hawaiian Home Lands for residential use by beneficiaries from the general requirement to transfer one per cent of capital improvement appropriations for the construction or renovation of State buildings be transferred to the Works of Art Special Fund.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and Hawaii Contemporary. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from State Foundation on Culture and Arts.

Your Committee finds that approximately 28,000 adult Native Hawaiians are currently waiting for residential, farming, or ranching homesteads from the Department of Hawaiian Home Lands. Your Committee further finds that clearing the backlog of beneficiaries may take up to one hundred and ten years. Your Committee believes that excluding buildings developed by the Department of Hawaiian Home Lands for residential use by beneficiaries of the Hawaiian Homes Commission Act, 1920, as amended, from the general requirement that one per cent of capital improvement appropriations for state buildings be transferred to the Works of Art Special Fund will meaningfully increase the development of residential buildings by the Department.

Your Committee has amended this measure by changing the effective date to July 1, 2065, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 755, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 755, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (LoPresti). Noes, none. Excused, 1 (Ward).

SCRep. 221 Culture, Arts, & International Affairs on H.B. No. 1358

The purpose of this measure is to:

- (1) Clarify that the State Historic Preservation Program includes developing informational material about protections for burials, historic sites, and archaeological resources and providing consultation to counties and public and private agencies involved in historic preservation and development;
- (2) Amend the composition and duties of the Hawaii Historic Places Review Board; and
- (3) Increase civil and administrative fines and make violators liable for costs associated with mitigation or restoration measures for certain violations of historic and preservation requirements.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that additional clarification on the duties of the State Historic Preservation Program and increased civil and administrative penalties are needed to emphasize the vulnerability and importance of Native Hawaiian historic properties and Objects and to protect and preserve cultural and historic sites in Hawaii that may be disturbed or destroyed as the result of a development project.

Your Committee has amended this measure by:

- (1) Removing language requiring the State Historic Preservation Division provide consultation to counties and public and private agencies involved in historic preservation activities;
- (2) Removing language adding an additional member to the Hawaii Historic Places Review Board and altering the duties of the Hawaii Historic Places Review Board;
- (3) Making consultation with the Office of Hawaiian Affairs on determinations of loss or damage to pre-contact historic property permissive, rather than required;
- (4) Changing the effective date to July 1, 2065, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1358, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1358, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Har). Noes, none. Excused, 2 (LoPresti, Ward).

SCRep. 222 Culture, Arts, & International Affairs on H.B. No. 1357

The purpose of this measure is to require that the official stationary and website used to designate certain state officials include a Hawaiian translation of the office or department's name.

Your Committee received testimony in support of this measure from the Hawaii Civil Rights Commission and three individuals.

Your Committee finds that as one of the official languages of the State, the Hawaiian language should be prominently featured in the communications of certain state officials in recognition of its importance to the people of Hawaii.

Your Committee notes that the first written versions of Hawaiian did not include 'okinas and kahakōs due to the high literary rates in Hawaiian. In addition, your Committee notes that some Native Hawaiian speakers still utilize written Hawaiian without the use of 'okinas and kahakōs and there is sometimes a difference of opinion in the community about the correct and accurate use of 'okinas and kahakōs. Accordingly, your Committee does not intend for this measure to set or establish a standard use or non-use of 'okinas and kahakōs in written Hawaiian.

Your Committee has amended this measure by:

- (1) Clarifying that this measure is not intended to establish a uniform or standard usage of 'okina, kahakō, or other diacritical or orthographic marks;
- (2) Changing the effective date to July 1, 2065, to encourage further discussion; 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 Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1357, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1357, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ward).

SCRep. 223 Water & Land on H.B. No. 1348

The purpose of this measure is to ensure the responsible development of the Stadium Development District by:

- (1) Revising the membership and development guidance policies for the Stadium Authority;
- (2) Clarifying the roles between the Stadium Authority and Hawaii Community Development Authority;
- (3) Authorizing the Stadium Authority to hold title to real property;
- (4) Establishing a Stadium Development Special Fund;
- (5) Exempting land to which the Stadium Authority holds title from the definition of "public land"; and

(6) Amending the general bond authorization enabled through Act 268, Session Laws of Hawaii 2019.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Stadium Authority, Chamber of Commerce Hawaii, Hawaii Laborers and Employers Cooperation and Education Trust Fund, Pacific Resource Partnership, Hawaii Operating Engineers Industry Stabilization Fund, Hawai'i Construction Alliance, Operative Plasterers' and Cement Masons' International Association Local 630, Hawaii Laborers' Union Local 368, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Hawaii Community Development Authority, University of Hawai'i System, and League of Women Voters of Hawaii.

Your Committee finds that effective development of the Stadium Development District is crucial to the State, however, further clarification of the roles and collaboration between the Stadium Authority and the Hawaii Community Development Authority in the district is necessary as this measure progresses.

Your Committee has amended this measure by:

- (1) Clarifying that the Stadium Authority has the power to construct within the Stadium Development District;
- (2) Removing the provisions that exempted the Stadium Authority from the public notice, public hearing, and gubernatorial approval requirements in establishing or amending fees or charges to be deposited into the Stadium Development Special Fund;
- (3) Specifying that the Stadium Authority shall enter into a memorandum of agreement with the Hawaii Community Development Authority regarding the implementation responsibilities of the respective agencies;
- (4) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1348, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1348, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 224 Water & Land on H.B. No. 1014

The purpose of this measure is to authorize the Board of Land and Natural Resources to amend and extend existing pasture leases and to issue new pasture leases by negotiation in furtherance of public purposes that are the Department of Land and Natural Resources' responsibility to promote, subject to certain provisions.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Conservation Council for Hawai'i, and one individual. Your Committee received comments on this measure from the Department of Agriculture; Ulupono Initiative; Hawaii Cattlemen's Council, Inc.; Kapapala Ranch; Hawaii Farm Bureau; and one individual.

Your Committee finds that under existing law, the Department of Land and Natural Resources is permitted to transfer agricultural lands to the Department of Agriculture. However, pasture lands are not classified the same as agricultural lands and are a critical part of the Department of Land and Natural Resources forest protection and hunting and recreation initiatives. Your Committee further finds that extending and amending the pasture leases will allow for greater resource protection and enhancement. Your Committee acknowledges the long-standing concerns of lessees of pasture lands and the important role these lessees play not only in food production and agriculture, but in conservation and land stewardship as well. As such, your Committee finds that an additional framework may be necessary to ensure the State can support conservation and responsible land use, as well as agricultural food production.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language which gives preference to the Department of Land and Natural Resources to use lands that were initially transferred to the Department of Agriculture for productive agricultural use, only if certain conditions the Department of Land and Natural Resources are met prior to the use of the land;
- (2) Requiring the establishment of a third-party committee in cases that the management of parcels are disputed to:
 - (A) Assess the resource values according to certain criteria prior to the disposition or transfer of any disputed land; and
 - (B) Submit findings to the Board of Land and Natural Resources and Board of Agriculture for review and consideration before approval of any disposition or transfer of disputed land;
- (3) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1014, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1014, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Ohno, McDermott).

SCRep. 225 Water & Land on H.B. No. 1280

The purpose of this measure is to transfer operational authority over the makai research pier located at the southeast corner of Oahu from the University of Hawaii to the Natural Energy Laboratory of Hawaii Authority and authorize and appropriate funds to upgrade the makai research pier.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; University of Hawai'i System; Makai Ocean Engineering, Inc.; and Sea Engineering, Inc. Your Committee received comments on this measure from the Natural Energy Laboratory of Hawaii Authority.

Your Committee finds that this measure would allow the makai research pier to remain operational and allow the pier's tenants to continue to grow and provide high-paying, rewarding jobs for local residents, as well as provide the State with firms that are leaders in the marine industry.

Your Committee has amended this measure by:

- (1) Providing that the terms of any leases of tenants of the makai research pier located at the southeast corner of Oahu near Makapuu point in effect on the effective date of this measure will remain in full force and effect;

- (2) Changing the amount of the general obligation bonds to a blank amount;
- (3) Making the appropriation for fiscal biennium 2021-2023 rather than fiscal year 2021-2022;
- (4) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

Your Committee notes that \$5,000,000 in general obligation bonds was authorized to be issued by this measure as introduced. Your Committee also requests that the University of Hawaii and Natural Energy Laboratory of Hawaii seek the consent of the Board of Land and Natural Resources regarding the transfer of operational authority of the research pier.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1280, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1280, H.D. 1, and be referred to your Committee on Higher Education & Technology.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 226 Health, Human Services, & Homelessness on H.B. No. 104

The purpose of this measure is to define "swimming pool" for the purposes of administrative rule making by the Department of Health.

Your Committee received testimony in support of this measure from Imanaka Asato LLC, five individuals, and a petition with numerous individuals. Your Committee received testimony in opposition to this measure from the Department of Health.

Your Committee finds that clarifying that "swimming pools" as impervious, artificial bodies of water for swimming, diving, or recreational bathing or therapy will reduce confusion over oversight by the Department of Health over recreational bodies of water.

Your Committee has amended this measure by changing the effective date to July 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 104, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 104, H.D. 1, and be referred to your Committee on Water & Land.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 227 Health, Human Services, & Homelessness on H.B. No. 285

The purpose of this measure is to:

- (1) Prohibit health insurance companies and mutual benefit societies from denying coverage for certain types of treatment on the basis of gender identity if the policy covers those treatments for purposes other than gender transition; and
- (2) Require health insurance companies and mutual benefit societies to provide applicants and insured persons with clear information on the coverage of gender transition services, including the process for appealing a claim denied on the basis of medical necessity.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawaii Civil Rights Commission, Malama I Ke Ola Haele Center, LGBT Caucus of the Democratic Party of Hawaii, HHRC, Kuaana Project, Pride at Work, AF3IRM Hawaii, Planned Parenthood Votes Northwest and Hawaii, Lavender Clinic, and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii Medical Service Association and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Kaiser Permanente Hawaii.

Your Committee finds that health insurance policies often cover gender-conforming treatments, such as feminizing or masculinizing hormone therapies, for other purposes, but deny coverage of these therapies when sought by transgender persons for the purposes of gender affirmation. Your Committee further finds that clarifying the State's anti-discrimination laws regarding health insurance policies will add additional safeguards for transgender individuals.

However, your Committee has heard the concerns raised in testimony that this measure may include a new mandated health insurance requirement. New mandated benefits may increase costs for policyholders, and as such, it is important to first request a report from the Office of the Auditor to assess the additional cost of any proposed mandate, which may be subject to defrayal.

Your Committee has amended this measure by:

- (1) Replacing its contents with provisions that require the Auditor to conduct an impact assessment report pursuant to sections 23-51 and 23-52, Hawaii Revised Statutes, on the social and financial impacts of prohibiting health insurance companies from denying coverage on the basis of gender identity if the policy covers the treatment for purposes other than gender transition;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 285, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 285, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 228 Health, Human Services, & Homelessness on H.B. No. 302

The purpose of this measure is to:

- (1) Authorize advanced practice registered nurses to certify whether a person is totally disabled for purposes of the income tax code;
- (2) Authorize advanced practice registered nurses to make capacity determinations for the purposes of advance mental health care directives; and
- (3) Add advanced practice registered nurses as primary providers in advance mental health care directives.

Your Committee received testimony in support of this measure from The Queen's Health Systems, Hawaii – American Nurses Association, Hawaii Association of Professional Nurses, Hawaii Psychological Association, Hawaii State Center for Nursing, and three individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of Taxation and Board of Nursing.

Your Committee finds that currently advanced practice registered nurses are permitted to practice to the full scope of their authorized practice, including practicing as primary care providers. Your Committee further finds certain sections of state law do not include advanced practice registered nurses within the scope of primary care providers for the purposes of disability determinations under the state income tax code or for advance mental health care directives. Your Committee believes that amending state law to be in conformity with the current scope of practice for advanced practice registered nurses is in the public's best interest.

Your Committee has amended this measure by:

- (1) Clarifying that mental health capacity determinations may be made by an advanced practice registered nurse who holds an accredited national certification in an advanced practice registered nurse psychiatric specialization;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 302, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 302, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 229 Health, Human Services, & Homelessness on H.B. No. 227

The purpose of this measure is to:

- (1) Clarify the group of professionals who are prohibited from knowingly referring or transferring patients to an uncertified or unlicensed care facility;
- (2) Repeal the provision that a landlord, under specified conditions, shall not be deemed to be providing home care services or operating a care facility that requires a license; and
- (3) Require the Department of Health to prioritize complaint allegations based on severity for investigations of state-licensed or state-certified care facilities.

Your Committee received testimony in support of this measure from the Department of Health, Alliance of Professional Primary Care Administrators, Adult Foster Homecare Association of Hawaii, and nine individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that the prevalence of unlicensed care homes and facilities in the State continues to pose significant health and consumer protection issues for Hawaii's elderly and vulnerable populations. Licensed care home operators and other persons are still referring or transferring patients to unlicensed care homes and facilities, unbeknownst to the patient. This illegal practice has cost some patients thousands of dollars due to denied insurance reimbursements and endangers patients' health and safety since unlicensed care homes and facilities do not have to follow required health and consumer protection regulations. Your Committee further finds that enforcement activities require long and arduous hours from the State and are a critical component of the State's regulatory efforts to ensure the health, safety, and welfare of Hawaii's kupuna.

Your Committee has amended this measure by:

- (1) Clarifying that the prohibition on the knowing transfer or referral of patients to uncertified or unlicensed care facilities applies to persons, corporations, or other entities in the health care or human services community; and
- (2) Changing the effective date to July 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 227, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 227, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 230 Health, Human Services, & Homelessness on H.B. No. 188

The purpose of this measure is to establish the conditions and time limits for placing a child in room confinement in a detention or shelter facility.

Your Committee received testimony in support of this measure from the Judiciary, Office of the Public Defender, Hawaii Disability Rights Center, and American Civil Liberties Union of Hawaii.

Your Committee finds that Congress passed the First Step Act in 2018, which prohibits facilities that confine youth in federal custody from using room confinement as punishment and permits such confinement only when youth behavior poses a risk of physical harm that cannot be otherwise de-escalated. In addition to Congress, the United States Department of Justice, and prominent national professional organizations have taken strong positions against the isolation of youth. This measure ensures the basic safety and protection of the State's youth by establishing statutory limits on room confinement at detention and shelter facilities.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 188, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 188, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 231 Health, Human Services, & Homelessness on H.B. No. 722

The purpose of this measure is to:

- (1) Establish a statewide coordinator and program within the Department of the Attorney General to address the needs of victims of human trafficking;
- (2) Require the Department of the Attorney General to provide reports to the Legislature on the State's efforts to address human trafficking and the commercial sexual exploitation of children; and
- (3) Require the Children's Justice Program to coordinate the investigation and case management of child human trafficking cases, including cases involving the sexual exploitation of children.

Your Committee received testimony in support of this measure from the Judiciary, Department of the Attorney General, Office of the Public Defender, Harm Reduction Hawaii, Imua Alliance, and four individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that over the past decade, the Department of Human Services has received an increasing number of calls on its hotline from witnesses or victims of child sex trafficking. Your Committee further finds that due to the covert nature of child sex trafficking, it is difficult to accurately measure the scope of the problem in the State.

Your Committee has amended this measure by:

- (1) Removing the statewide coordinator position;
- (2) Requiring an annual report to the Legislature by the Department of the Attorney General on the State's efforts to address human trafficking and the commercial sexual exploitation of children;
- (3) Clarifying the definition of "human trafficking";
- (4) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 722, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 722, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 232 Health, Human Services, & Homelessness on H.B. No. 1106

The purpose of this measure is to require all health care and wellness service providers to submit health information to a health information exchange, to be operated and maintained by a state designated entity, for the purposes of facilitating the use and movement of health information among organizations.

Your Committee received testimony in support of this measure from Hawaii Medical Service Association, Hawaii Health Information Exchange, Hawaii Data Collaborative, Hawaii Primary Care Association, and Cancer Center of Hawaii. Your Committee received comments on this measure from the Department of the Attorney General, Department of Human Services, The Queen's Health Systems, Healthcare Association of Hawaii, and Hawaii Pacific Health.

Your Committee finds that the ability to securely and efficiently exchange patient health information electronically has become vitally important to improve health outcomes for Hawaii's patients, reduce health care costs, and connect the State's health care providers. Your Committee further finds that requiring health care and wellness service providers to submit health information to a health information exchange will ensure that providers have complete and accurate medical records for their patients.

Your Committee has amended this measure by:

- (1) Specifying that the Governor is responsible for designating the entity responsible for developing and maintaining the health information exchange;
- (2) Clarifying the specific provisions of federal law with which the transmission of medical records must comply;
- (3) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1106, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1106, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 233 Health, Human Services, & Homelessness on H.B. No. 1284

The purpose of this measure is to:

- (1) Reorganize the administrative structure of the Department of Human Services; and
- (2) Require the Department of Human Services to submit a report to the Legislature prior to the Regular Session of 2022 proposing any additional legislation required to complete the reorganization.

Your Committee received testimony in opposition to this measure from the Department of Human Services.

Your Committee finds that assessing the efficacy of programs and reorganizing is necessary to operate a large department such as the Department of Human Services and to also modernize its service delivery. However, your Committee has heard the concerns raised by the Department of Human Services in its testimony before your Committee that this measure, as introduced, would have significant repercussions on the Department's ability to meet the needs of the nearly one-third of Hawaii residents who rely on one or more benefits and services delivered by the Department.

Your Committee notes that the Department of Human Services has several ongoing reorganizations and has completed several reorganizations over the last decade.

Your Committee has amended this measure by:

- (1) Removing the substantive language of the measure and inserting language that:
 - (A) Requires health insurance providers who provide health benefits plans funded by the Hawaii Employer-Union Health Benefits Trust Fund or the State Medicaid agency and providers providing Medicare Advantage health benefits to submit administrative data to the Health Analytics Program in the Department of Human Services; and
 - (B) Authorizes the Health Analytics Program to develop and update an annual plan for the analysis, maintenance, and publication of collected all-claims, all-payer data;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1284, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1284, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
 Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 234 Health, Human Services, & Homelessness on H.B. No. 1282

The purpose of this measure is to:

- (1) Begin the transfer of the Oahu Regional Health Care System in its entirety from the Hawaii Health Systems Corporation to the Department of Health;
- (2) Enable the Oahu Regional Health Care System, Department of Health, and Hawaii Health Systems Corporation and other state agencies to manage and implement the processes required to effectuate the completion of the transition;
- (3) Require the Department of Health to consult with the University of Hawaii regarding services provided at Leahi Hospital and Maluhia and allow University of Hawaii students to rotate through those facilities for training purposes;
- (4) Authorize the Department of Health to pay rent to the University of Hawaii for the use of the Leahi Hospital property;
- (5) Appropriate funds from the Mental Health and Substance Abuse Special Fund to operate Leahi Hospital and Maluhia; and
- (6) Authorize the issuance of general obligation bonds for improvements at Leahi Hospital and Maluhia.

Your Committee received testimony in support of this measure from the Department of Health, University of Hawaii System, Hawaii Health Systems Corporation Oahu Region, Hawaii Health and Harm Reduction Center, and The Queen's Health Systems. Your Committee received comments on this measure from the Department of the Attorney General and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the Oahu Regional Health Care System (Oahu Region) care facilities operate mostly autonomously and are unique from those of other regional health care systems in the Hawaii Health Systems Corporation, in that they operate more as a necessary social service than as a corporate health care business. Your Committee further finds that effecting a transfer of the Oahu Region from the Hawaii Health Systems Corporation to the Department of Health will ensure the continued availability of long-term care beds for the State's aging population and facilitate more efficient use of the facilities at Leahi Hospital and Maluhia, including helping alleviate the need for subacute residential mental health stabilization and other subacute care services.

Your Committee has amended this measure by:

- (1) Clarifying that real property transferred during any transition of a Hawaii Health Systems Regional System to a new entity shall transition in its then-existing state, whether in lease, fee, or otherwise, to an executive department;
- (2) Clarifying the rights, powers, and exemptions of:
 - (A) The Oahu Region during the transition period beginning on July 1, 2021, until the completion of the transition to the Department of Health; and
 - (B) The Department of Health, via the Inpatient Services Division, once the Oahu Region transfers from the Hawaii Health Systems Corporation to the Department;
- (3) Specifying that no planned substantial reduction or elimination of direct patient care services at Leahi Hospital and Maluhia shall be undertaken unless certain requirements are met;
- (4) Specifying that the transition working group may begin transferring positions and class specifications from the Oahu Region into the Department of Health on June 30, 2021, and requiring all Oahu Region employees employed as of this date to be transferred to the Department before the transition is complete;
- (5) Clarifying that the Oahu Region Board of Directors, through its Chair, shall transition the Oahu Region into the Department of Health;
- (6) Authorizing the Inpatient Services Division of the Department of Health to develop internal policies for the procurement of goods and services for a two-year period following the completion of the Oahu Region transition;
- (7) Amending the composition of the transition working group and clarifying the transfer framework the working group must develop;
- (8) Changing the effective date to July 1, 2060, to encourage further discussion, and specifying that Part II of the measure, which statutorily removes the Oahu Region from the Hawaii Health Systems Corporation, shall take effect July 1, 2023; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1282, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1282, H.D. 1, and be referred to your Committee on Labor & Tourism.

Signed by the Chair on behalf of the Committee.
 Ayes, 7; Ayes with Reservations (Ward). Noes, none. Excused, 1 (Gates).

SCRep. 235 Health, Human Services, & Homelessness on H.B. No. 345

The purpose of this measure is to require the court to appoint, at the time that an Assisted Community Treatment Program petition is filed, a guardian ad litem to represent the best interests of the individual who is subject to the petition throughout the pendency of the judicial proceedings.

Your Committee received testimony in support of this measure from Hawaii Substance Abuse Coalition, Ohana Health Plan, Hope Services Hawaii, and two individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Health, Office of the Public Defender, Judiciary, and Hawaii Disability Rights Center.

Your Committee finds that requiring the appointment of a guardian ad litem to represent a person who is the subject of an Assisted Community Treatment Program petition will decrease delays in the implementation of Assisted Community Treatment Programs, while ensuring that persons who might be absent or otherwise unable to meaningfully participate in the proceedings have a representative available who will act in that person's best interest.

Your Committee has amended this measure by:

- (1) Restoring existing statutory language that requires a public defender or other court-appointed counsel to represent the subject of an Assisted Community Treatment Program petition upon the filing of the petition;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 345, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 345, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 236 Housing/Water & Land on H.B. No. 260

The purpose of this measure is to allow the counties to reclassify lands that are fifteen to one hundred acres in certain rural, urban, and agricultural districts in which at least fifty per cent of the housing units on the land to be classified are set aside for persons and families with incomes at or below one hundred forty per cent of the area median income.

Your Committees received testimony in support of this measure from the Mayor of the County of Maui, one member of the Maui County Council, Building Industry Association of Hawaii, Hawai'i Association of REALTORS, Maui Chamber of Commerce, and one individual. Your Committees received testimony in opposition to this measure from the Office of Hawaiian Affairs, Sierra Club of Hawai'i, and Hawai'i Farm Bureau. Your Committees received comments on this measure from the Department of Agriculture, Office of Planning, and Land Use Commission.

Your Committees find that enabling the counties to reclassify certain rural, urban, and agricultural lands for affordable housing development provides opportunities to address the dire demand for affordable housing in the State. Your Committees are aware of competing land use needs for development purposes other than housing and so believe it is therefore appropriate to insert provisions in this measure that ensure a nexus between the reclassification of rural, urban, and agricultural lands and the development of affordable housing.

Your Committees have amended this measure by:

- (1) Establishing enforcement and penalties for violations related to Land Use Commission district boundary amendments;
- (2) Authorizing the counties to reclassify lands that are:
 - (A) Fifty acres in certain rural, urban, and agricultural districts in which fifty percent of the housing units on the lands to be classified are set aside for persons and families with incomes at or below one hundred forty percent of the area median income; and
 - (B) Seventy-five acres in certain rural, urban, and agricultural districts in which one hundred percent of the housing units on the lands to be classified are set aside for persons and families with incomes at or below one hundred forty percent of the area median income;
- (3) Requiring any county reclassification of lands of fifty acres or seventy-five acres to be consistent with county general plans and community development plans;
- (4) Specifying the soil classification for reclassified lands in the agricultural district that are not designated as important agricultural lands;
- (5) Prohibiting the parceling of lands for development related to the fifty-acre or seventy-five acre reclassification of lands;
- (6) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committees request the Office of Hawaiian Affairs and the Land Use Commission to provide suggestions on how to train and better educate county planning departments to increase the vigor of their county analysis regarding customary and traditional practices and statewide agricultural issues.

As affirmed by the records of votes of the members of your Committees on Housing and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 260, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 260, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 6. Noes, 1 (DeCoite). Excused, 1 (McDermott).

Water & Land: Ayes, 7; Ayes with Reservations (Ganaden, B. Kobayashi, Kong). Noes, none. Excused, 1 (McDermott).

SCRep. 237 Consumer Protection & Commerce on H.B. No. 891

The purpose of this measure is to implement a regulatory framework for electric guns, similar to the regulatory framework for firearms.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, and Hawai'i Police Department. Your Committee received testimony in opposition to this measure from the Honolulu Police Department, Hawaii Firearms Coalition, and numerous individuals. Your Committee received comments on this measure from Hawaii Food Products.

Your Committee finds that the Supreme Court of the United States cast doubt on the constitutionality of prohibitions on electric guns in Caetano v. Massachusetts, 136 S. Ct. 1027 (2016). Your Committee further notes that there is a pending case in the United States District Court for the District of Hawaii, Roberts v. Ballard, 18-00125 HG-KSC, which is seeking to invalidate Hawaii's prohibition on electric guns. If the plaintiff in Roberts is successful, the invalidation will leave no safeguards for the sale, distribution, and possession of electric guns in the State. This measure seeks to proactively regulate electric guns before any litigation determines that the prohibition is unconstitutional and invalid.

Your Committee further notes that the regulatory approach proposed in this measure would impose requirements on electric guns similar to those that currently exist for firearms. Your Committee acknowledges that discussions should continue to determine whether this approach is appropriate for these types of devices.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 891, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 891, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Har, Matsumoto). Noes, 1 (Kong). Excused, none.

SCRep. 238 Consumer Protection & Commerce on H.B. No. 446

The purpose of this measure is to:

- (1) Establish the felony offense of theft of a catalytic converter;
- (2) Prohibit persons licensed to purchase or sell used motor vehicle parts or accessories or licensed to wreck, salvage, or dismantle motor vehicles from accepting parts or accessories or a motor vehicle if the seller does not furnish certain information and require licensees to report such attempt to sell to the police; and
- (3) Increase the minimum and maximum allowable fine for violations of the law relating to used motor vehicle parts and accessories.

Your Committee received testimony in support of this measure from Poi Dogs and Popoki, AAA Hawaii, National Insurance Crime Bureau, GEICO, Roberts Hawaii, and five individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that locally and nationally the theft of catalytic converters is a new and rapidly growing problem. The costs to a consumer to replace a catalytic converter may be in excess of \$1,000. This measure deters the theft of catalytic converters by imposing a higher criminal penalty on the theft and by establishing additional requirements on persons licensed to sell or purchase used motor vehicle parts or accessories or licensed to wreck, salvage, or dismantle motor vehicles.

Your Committee further finds that catalytic converters may be sold as scrap metal for purposes of extracting the metals within, as opposed to being sold as used motor vehicle parts for purposes of resale as a used motor vehicle part. At the same public hearing in which this measure was heard and considered, your Committee heard H.B. No. 117 (Regular Session of 2021), which requires scrap dealers to follow the same requirements on transactions involving catalytic converters and catalytic converter metals as those imposed on transactions involving copper. The approaches taken in this measure and H.B. No. 117 complement each other and, jointly, provide a robust deterrence to the growing problem of catalytic converter theft.

Your Committee has amended this measure by:

- (1) Inserting the contents of H.B. No. 117, a measure that regulates the purchase of catalytic converters and catalytic converter metals by scrap dealers by:
 - (A) Requiring a written statement, photograph of the catalytic converter or catalytic converter metals, and verification of a seller's identification prior to a scrap dealer's purchase of a catalytic converter or catalytic converter metals; and
 - (B) Specifying recordkeeping requirements for the sale of a catalytic converter or catalytic converter metals;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 446, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 446, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 239 Consumer Protection & Commerce on H.B. No. 60

The purpose of this measure is to reclassify or abolish certain funds consistent with the Auditor's recommendations as reported in *Review of Special Funds, Revolving Funds, Trust Funds, and Trust Accounts of the Department of Commerce and Consumer Affairs (Report No. 20-18)*.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Public Utilities Commission, Tax Foundation of Hawaii, Hawaiian Electric Company, and State Farm Insurance Company.

Your Committee notes that testimony disagreed with the Auditor over the reclassification of the Insurance Commissioner's Education and Training Fund from a trust fund to a special fund. Testimony notes that the funds in the Commissioner's Education and Training Fund provide benefits to a discrete class of persons by providing essential training to employees in the Insurance Division of the Department of Commerce and Consumer Affairs.

Your Committee has amended this measure by:

- (1) Deleting the reclassification of the Insurance Commissioner's Education and Training Fund;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that by abolishing the Electrical Vehicle Charging System Rebate Program Special Fund, the Public Utilities Commission will need funding in excess of the existing ceiling on the Public Utilities Commission Special Fund to accomplish the purpose of the Electrical Vehicle Charging System Rebate Program. Should your Committee on Finance consider this measure, your Committee requests that it consider \$400,000 as an appropriate amount of an increase to accomplish the purpose of the Program.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 60, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 60, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 240 Consumer Protection & Commerce on H.B. No. 65

The purpose of this measure is to require a tax clearance before the issuance or renewal of a professional or vocational license under the jurisdiction of the Department of Commerce and Consumer Affairs.

Your Committee received testimony in support of this measure from the Department of Taxation and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Tax Foundation of Hawaii.

Your Committee finds that ensuring persons are complying with the State's tax laws is more critical now than ever as the State faces an unprecedented budget deficit due to the COVID-19 pandemic. However, your Committee notes that there are a substantial number of professional and vocational licensees in the State and processing all of their tax clearances must be accomplished in an efficient manner.

Your Committee has amended this measure by:

- (1) Clarifying that a tax clearance certificate may be issued if the applicant or licensee is in compliance with all applicable tax laws, rather than if the applicant or licensee is not subject to income tax;
- (2) Requiring the Departments of Taxation and Commerce and Consumer Affairs to jointly implement a procedure or system to efficiently process and issue clearance requests and responses;
- (3) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 65, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 65, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 241 Consumer Protection & Commerce on H.B. No. 296

The purpose of this measure is to:

- (1) Restrict the use of leaf blowers in special improvement districts to a limited time of day when operating leaf blowers within a residential zone or near a residence; and
- (2) Limit the permitted noise level for the operation of a leaf blower within such limited time to sixty decibels.

Your Committee received testimony in support of this measure from six individuals.

Your Committee notes that, according to the Centers for Disease Control and Prevention, normal human conversations occur at a noise level of sixty decibels and typical leaf blowers emit noise at a level of eighty decibels. Your Committee finds that limiting the noise emitted from leaf blowers to sixty decibels effectively prohibits their operation.

Your Committee has amended this measure by:

- (1) Limiting the restrictions on the use of a leaf blower to only the Waikiki Special Improvement District, rather than all special improvement districts;
- (2) Extending the time period in which a leaf blower may be operated within a residential zone or within one hundred feet of a residence to 5:00 p.m., rather than 4:00 p.m.;
- (3) Amending the maximum noise level for leaf blowers from sixty decibels to eighty decibels;
- (4) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 296, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 296, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 242 Consumer Protection & Commerce on H.B. No. 1245

The purpose of this measure is to establish an expeditious adjudication system for processing fireworks infractions, similar to the system for processing traffic infractions.

Your Committee received testimony in support of this measure from the State Fire Council, Honolulu Fire Department, and two individuals. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that the enforcement of the Fireworks Control Law is wanting. Your Committee further finds that enforcement is necessary to protect property from avoidable fire damage and protect persons from fire and explosion-related injuries, respiratory distress caused by the air pollution, and retraumatizing persons with the loud explosions.

To promote compliance with the Fireworks Control Law, your Committee also finds that alternative enforcement mechanisms should be considered, such as the expeditious adjudication system for processing traffic infractions. Such a system would allow the Judiciary to expediently process violations of the Fireworks Control Law and reserve its resources for cases that require more attention.

Your Committee has amended this measure by:

- (1) Inserting a preamble;
- (2) Inserting an appropriation for an unspecified amount for the Judiciary to update the Judiciary Information Management System as needed to implement the adjudications process proposed by this measure;
- (3) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the Judiciary submitted testimony on this measure indicating that the estimated costs for upgrading the Judiciary Information Management System as necessary to implement the adjudications process proposed by this measure are \$40,000. As this measure proceeds through the legislative process, your Committee requests that consideration be given to this requested appropriation amount.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1245, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1245, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 243 Energy & Environmental Protection on H.B. No. 1140

The purpose of this measure is to:

- (1) Prohibit the issuance of certain new residential multi-family and commercial building application permits and new state building application permits initiated on or after January 1, 2022, unless the building's parking stalls are electric vehicle charger ready; and
- (2) Allow such buildings to implement an electric vehicle energy management system.

Your Committee received testimony in support of this measure from the Hawaii Electric Vehicle Association; KauaiEV; Mission Zero Hawaii; Big Island EV Association; Ulupono Initiative; Our Revolution Hawaii; 350Hawaii; Climate Protectors Coalition; Blue Planet Foundation; Hawaiian Electric Company, Inc.; Alliance for Automotive Innovation; Tesla, Inc.; and numerous individuals. Your Committee received testimony in opposition to this measure from the Building Owners and Managers Association. Your Committee received comments on this measure from the Hawaii State Energy Office and Building Industry Association of Hawaii.

Your Committee finds that while there is growing interest in electric vehicles among Hawaii residents, the lack of adequate vehicle charging infrastructure presents a key barrier to their acquisition. In addition, electric vehicle charger ready buildings in the public domain are essential for individuals who visit government buildings for public services. Requiring electric vehicle charging infrastructure will result in significant long-term savings and provide clean mobility solutions for Hawaii residents and visitors.

Your Committee has amended this measure by:

- (1) Specifying that the electric vehicle energy management system provides no less than 3.4 kilowatts of electricity to each parking stall;
- (2) Clarifying the definition of "electric vehicle charger ready";
- (3) Clarifying the definitions of "alternating current Level 2 charging station" and "direct current fast charging system";
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1140, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1140, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 8; Ayes with Reservations (Tokioaka). Noes, none. Excused, none.

SCRep. 244 Energy & Environmental Protection on H.B. No. 557

The purpose of this measure is to require the Employees' Retirement System to reevaluate its investments in coal, oil, natural gas, oil or natural gas services, and pipeline companies and, over the next five years, divest of holdings in any companies that have a majority of its holdings invested in fossil fuels, rather than clean renewable energy sources.

Your Committee received testimony in support of this measure from Hawaii Interfaith Power and Light, Climate Protectors Coalition, Kauai Climate Action Coalition, Hawai'i Youth Climate Coalition, Our Revolution Hawaii, 350Hawaii, and numerous individuals. Your Committee received testimony in opposition to this measure from the Employees' Retirement System and one individual.

Your Committee finds that, given the severely adverse impacts of climate change, the State has a responsibility to take steps to avert and mitigate the climate crisis. Furthermore, the threat of climate change and transformation of the global energy system to mitigate the climate crisis will have a serious negative impact on investors whose assets are not aligned with fossil fuel reduction strategies. This measure ensures that the Employees' Retirement System reevaluates its investments in fossil fuel to align with the State's goal of one hundred percent renewable energy generation.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 557, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 557, H.D. 1, and be referred to your Committee on Labor & Tourism.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, 1 (Tokioaka). Excused, none.

SCRep. 245 Energy & Environmental Protection on H.B. No. 1316

The purpose of this measure is to:

- (1) Require producers of packaging waste to be responsible for the end-of-life management of their products in a way that ensures minimal social and environmental impacts;
- (2) Allow the Department of Health to administratively impose civil penalties; and
- (3) Establish the Waste and Litter Management Special Fund.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council; County of Maui Environmental Protection and Sustainability Division; Department of Environmental Services of the City and County of Honolulu; Surfrider Foundation, Hawai'i Region; Hawai'i Youth Climate Coalition; Our Revolution Hawaii; Hawaii Reef and Ocean Coalition; 350Hawaii; Zero Waste Big Island; Product Stewardship Institute; Sierra Club of Hawai'i; Take Flight Digital; Environmental Caucus of the Democratic Party of Hawai'i; and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii Food Industry Association; Flexible Packaging Association; Hawai'i Restaurant Association; Association of Home Appliance Manufacturers; Chamber of Commerce Hawaii; Island Plastic Bags, Inc.; American Institute for Packaging and the Environment; Consumer Brands Association; Retail Merchants of Hawaii; American Cleaning Institute; Pacific Allied Products Ltd.; Consumer Healthcare Products Association; Sealed Air Corporation; and one individual. Your Committee received comments on this measure from the Department of Health and American Chemistry Council.

Your Committee finds that for Hawaii and many other states, most of the plastic collected for recycling is shipped to other countries for recycling or disposal, which often adds to the cost and leads to more of these materials ending up in landfills. This measure ensures that producers are responsible for the environmental and public health costs of their products by encouraging better design for products and systems that reduce waste at the source and promote the reuse of more waste materials.

Your Committee has amended this measure by deleting its contents and inserting language that:

- (1) Requires and appropriates funds for the Department of Health to conduct a study on the benefits and costs to implement extended producer responsibility in the State;
- (2) Beginning January 1, 2022, prohibits full-service restaurants from providing single-use plastic service ware to consumers unless requested by the consumer;
- (3) Beginning January 1, 2023, requires beverage manufacturers that offer for sale, sell, or distribute beverages in plastic beverage containers in the State to meet minimum postconsumer recycled content requirements; and
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1316, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1316, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 246 Energy & Environmental Protection/Transportation on H.B. No. 552

The purpose of this measure is to:

- (1) Establish clean ground transportation goals for state agencies on a staggered basis until achieving a complete inventory of clean state-owned, light-duty motor vehicles by December 31, 2035, and for all light-duty motor vehicles in the State by December 31, 2045;
- (2) Require the procurement policy for all agencies purchasing or leasing medium- and heavy-duty motor vehicles to seek vehicles that reduce dependence on petroleum-based fuels that meet the needs of the agency, where feasible and cost-effective; and
- (3) Require state and county agencies to purchase building materials that reduce the carbon footprint of the project for use on the construction of new roads, where feasible and cost-effective.

Your Committees received testimony in support of this measure from the Department of Transportation; Hawaii Electric Vehicle Association; Hawaiian Electric Company, Inc.; Ulupono Initiative; Imua Alliance; KauaiEV; Blue Planet Foundation; Climate Protectors Hawaii; Alliance for Automotive Innovation; and seven individuals. Your Committees received comments on this measure from the State Procurement Office, Hawaii State Energy Office, Hawaii Automobile Dealers' Association, and 350Hawaii.

Your Committees find that it is vital that the State begin transitioning away from imported fossil fuel-powered ground transportation and toward cleaner and more efficient transportation systems powered by renewable, local energy sources. An effective way to combat the State's reliance on imported fossil fuels is to transition to the use of electric vehicles, which are less expensive to operate on a per-mile basis than their gas-powered counterparts. This measure ensures that the State is progressing toward its goal of one hundred percent clean energy ground transportation.

Your Committees have amended this measure by:

- (1) Clarifying provisions relating to the State's goal for clean ground transportation by requiring that one hundred percent of state-owned, light-duty vehicles be powered by renewable energy sources by December 31, 2035;
- (2) Clarifying that the Department of Transportation, in collaboration with the Hawaii State Energy Office, shall develop strategies to transition all state-owned, light-duty motor vehicles to meet the clean ground transportation goal;
- (3) Specifying that all agencies, in their energy efficiency and environmental standards regarding motor vehicles and transportation fuel, promote efficient planning of charging station locations and day-time charging for electric vehicles and collect and maintain data relating to electric vehicle charger use;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 552, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 552, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 7. Noes, none. Excused, 1 (Tokioka).

Transportation: Ayes, 8. Noes, none. Excused, none.

SCRep. 247 Energy & Environmental Protection/Water & Land on H.B. No. 102

The purpose of this measure is to, beginning January 1, 2023, ban the sale, offer of sale, or distribution in the State of any sunscreen that contains avobenzone or octocrylene, or both, without a prescription issued by a licensed healthcare provider to preserve marine ecosystems.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Young Progressives Demanding Action Hawai'i Island; Hawaii Fishing & Boating Association; Surfrider Foundation, Maui Chapter; Surfrider Foundation, O'ahu Chapter; The Kohala Center; Lani & Kai; Mama Kuleana Reef Safe Sunscreen Company; Hawaii Reef and Ocean Coalition; Hawaii Coral Reef Stakeholders; Haereticus Environmental Laboratory; Napili Bay and Beach Foundation, Inc.; Chemists Without Borders; One Love Body Soul LLC; Suntegrity; Zero Waste Hale; Stream2Sea; Inland Ocean Coalition; Safe Sunscreen Council; and numerous individuals. Your Committees received testimony in opposition to this measure from the Hawaii Food Industry Association, Public Access to SunScreens Coalition, Personal Care Products Council, American Chemistry Council, Hawaii Skin Cancer Coalition, Consumer Healthcare Products Association, Retail Merchants of Hawaii, and five individuals. Your Committees received comments on this measure from the Department of Health, American Academy of Dermatology Association, and Hawaii Dermatological Society.

Your Committees find that despite the ban on the sale and distribution of sunscreen containing oxybenzone and octinoxate in the State beginning in 2021, many visitors to Hawaii may still be unaware of the harmful impacts of other chemicals that have significant harmful impacts on Hawaii's marine environment. This measure ensures that other harmful chemicals are included in the sunscreen ban to preserve the State's marine ecosystems, including coral reefs that protect Hawaii's shoreline.

Your Committees have amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 102, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 102, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 7. Noes, none. Excused, 1 (Tokioka).

Water & Land: Ayes, 6; Ayes with Reservations (B. Kobayashi, Kong, Morikawa). Noes, none. Excused, 2 (Ohno, McDermott).

SCRep. 248 Energy & Environmental Protection/Water & Land on H.B. No. 551

The purpose of this measure is to propose a constitutional amendment that guarantees individuals the right to a clean and healthy environment, including pure water, clean air, healthy ecosystems, and a stable climate, and to the preservation of the natural, cultural, scenic and healthful qualities of the environment.

Your Committees received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i; Kauai Climate Action Coalition; Hawai'i Youth Climate Coalition; Green Amendments for the Generations; Surfrider Foundation, O'ahu Chapter; Kūpuna for the Mo'opuna; Friends of Hanauma Bay; Imua Alliance; Hawaii Reef and Ocean Coalition; 350Hawaii; Sustainable Coastlines Hawai'i; Zero Waste Oahu; and numerous individuals. Your Committees received testimony in opposition to this measure from two individuals. Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that clean water, clean air, a stable climate, and a healthy environment are critical for supporting the physical, mental, and economic health of the State's residents. The proposed constitutional amendment in this measure recognizes and protects the alienable rights of all people, including future generations, to clean water, clean air, a stable climate, and healthy environments and makes clear the State's duties to protect the environment for the benefit of the residents and future generations.

Your Committees have amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 551, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 551, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 7; Ayes with Reservations (Matayoshi). Noes, none. Excused, 1 (Tokioka).

Water & Land: Ayes, 5; Ayes with Reservations (B. Kobayashi, Morikawa). Noes, 1 (Kong). Excused, 2 (Ohno, McDermott).

SCRep. 249 Government Reform on H.B. No. 365

The purpose of this measure is to require nominees for the position of deputy director and deputy chair of each principal department to be subject to advice and consent of the Senate.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Human Services.

Your Committee has amended this measure by:

- (1) Requiring principal departments who have had a deputy director or deputy chair appointed with the advice and consent of the Senate to report to the Legislature prior to the Regular Session of 2026 on the effectiveness of the process to appoint that deputy director or deputy chair;
- (2) Inserting a sunset date of June 30, 2026;
- (3) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that concerns were raised in testimony on this measure, stating that this measure may hinder a department's ability to fill the position of deputy director or deputy chair with worthy and knowledgeable applicants and ultimately carry out its core duties. Due to these concerns, your Committee has accordingly amended this measure to insert a sunset date of June 30, 2026, which will allow time to evaluate the effectiveness of having a deputy director and deputy chair of a principal department appointed with the advice and consent of the Senate, in case these concerns come to fruition.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 365, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 365, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 1 (Ward).

SCRep. 250 Government Reform on H.B. No. 424

The purpose of this measure is to:

- (1) Require all state and county entities, when renting a vehicle on behalf of a state employee in the discharge of official government business, to rent electric or hybrid vehicles, in order of preference, subject to certain provisions; and
- (2) Require the State Procurement Office to promulgate rules and execute future contracts that prioritize the rental of electric vehicles.

Your Committee received testimony in support of this measure from the State Energy Office, Hawaiian Electric Company, and Climate Protectors Coalition. Your Committee received comments on this measure from the State Procurement Office and Hawaii Gas.

Your Committee finds that Hawaii currently has over one million gasoline-powered vehicles on its roads, which emit nearly five million metric tons of climate-changing carbon pollution annually. Some of these vehicles are used by government employees in the performance of their duties. Your Committee further finds that electric vehicles will play an important role in the State's clean energy future and meeting the goals set for Hawaii in reducing its greenhouse gas emissions. Your Committee believes that requiring state agencies to prioritize the rental of electric vehicles will put the agencies at the forefront of energy independence and greenhouse gas emissions reduction efforts.

Your Committee has amended this measure by:

- (1) Moving the preference for rental of electric vehicle or hybrid vehicles by government employees out of the Procurement Code and into section 196-9, Hawaii Revised Statutes, relating to energy efficiency and environmental standards for state facilities, motor vehicles, and transportation fuel, and making associated conforming amendments;
- (2) Limiting the preference for rental of electric vehicle or hybrid vehicles to state employees only, rather than state and county employees;
- (3) Removing language that required the State Procurement Office to adopt preferred contract terms with rental contractors to prioritize the rental of electric vehicles;
- (4) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 424, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 424, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, 1 (Ward). Excused, 2 (Eli, Ichiyama).

SCRep. 251 Government Reform on H.B. No. 531

The purpose of this measure is to:

- (1) Require a state contract for the purchase of produce to include an option by a purchasing agency for the contractor supplying the produce to lease state agricultural land; and
- (2) Establish a process for the College of Tropical Agriculture and Human Resources of the University of Hawaii to identify appropriate land that may be leased to the contractor to grow the produce.

Your Committee received testimony in opposition to this measure from the Department of Agriculture and College of Tropical Agriculture and Human Resources of the University of Hawaii at Manoa. Your Committee received comments on this measure from the State Procurement Office and Hawaii Farm Bureau.

Your Committee finds that this measure will assist entities in finding appropriate farmland and will increase the production and use of locally grown agricultural produce.

Your Committee has amended this measure by:

- (1) Deleting its substantive contents relating to the leasing of state agricultural lands;
- (2) Requiring the Procurement Policy Board to adopt rules for criteria that will provide preference to small businesses for the use of state agricultural lands to promote the growth and development of small businesses;
- (3) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee requests your Committee on Agriculture, should it deliberate on this measure, to look at issues related to the language of this measure, as introduced, regarding the leasing of state agricultural land under the jurisdiction of the Department of Agriculture, including the potential for a contractor to lease a larger amount of state land than is necessary for the contractor to accomplish its production goals.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 531, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 531, H.D. 1, and be referred to your Committee on Agriculture.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 252 Government Reform on H.B. No. 1212

The purpose of this measure is to:

- (1) Establish the Office of Public-Private Partnership to reform state and county agencies with the use of best practices in contracting for public-private partnerships; and
- (2) Add design-build-operate-maintain and design-build-finance-operate-maintain project delivery methods to the State Procurement Code and related conditions and requirements.

Your Committee received testimony in support of this measure from the Office of Planning. Your Committee received comments on this measure from the Department of Accounting and General Services; State Procurement Office; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that a public-private partnership is a contractual agreement between a public agency and a private entity that allows for the public agency to retain ownership and substantial control but transfers responsibility to the private partner under a single contract. Your Committee further finds that public-private partnership projects will help the State in reforming certain capital improvement projects in a more cost-effective and efficient manner. Your Committee believes that the establishment of Office of Public-Private Partnership will help support state agencies in the use of best practices in contracting for public-private partnerships to deliver and finance public projects at a lower lifecycle cost and more diversified risk than traditional delivery processes.

Your Committee has amended this measure by:

- (1) Restricting the scope of the Office of Public-Private Partnership to support for state agencies, rather than state and county agencies;
- (2) Removing the requirement that the Office of Public-Private Partnership undertake the program relating to centralized engineering and office leasing services;
- (3) Adding a definition of "design-build-finance-maintain" and allowing the use of the design-build-finance-maintain project delivery method under the State Procurement Code and related conditions and requirements;
- (4) Clarifying that under the design-build-finance-operate-maintain project delivery method, no purchasing agency funds shall be appropriated to pay for any part of the services provided by the contractor during the contract period;
- (5) Clarifying that under the design-build-operate-maintain project delivery method, all or a portion of funds required to pay for the services provided by the contractor during the contract period are either appropriated by the purchasing agency prior to award of the contract or secured by the purchasing agency;
- (6) Clarifying the definition of "independent peer reviewer services" to mean additional architectural and engineering services provided to the purchasing agency in design-build-finance-maintain, design-build-operate-maintain, or design-build-finance-operate-maintain procurements;
- (7) Including under the definition of "infrastructure facility" certain vertical and horizontal public infrastructure that contribute to the network of essential facilities and systems that facilitate the economy and enhance the affected community's standard of living;
- (8) Amending the elements that are required to be included in each request for proposal to use the design-build, design-build-finance-maintain, design-build-operate-maintain, or design-build-finance-operate-maintain project delivery method;
- (9) Deleting the provision requiring additional forms of bid security for operations and maintenance services;
- (10) Clarifying that the funds appropriated may also be used to establish and fill an unspecified number of positions subordinate to the State Public-Private Coordinator; allowing for those positions to be added to the position count for the Department of Accounting and General Services; and exempting the positions from chapter 76, Hawaii Revised Statutes;
- (11) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (12) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee recognizes the concerns raised in testimony on this measure regarding the home rule authority of any affected county. Due to these concerns, your Committee has amended this measure to restrict the scope of the Office of Public-Private Partnership to state agencies only, thereby preserving the county home rule.

Your Committee further recognizes additional concerns raised in testimony that this measure may have unintended consequences that allow for the private operations of public institutions, including schools, prisons, hospitals, landfills, public roads, and airports. Your Committee respectfully requests your Committee on Consumer Protection & Commerce, should it deliberate on this measure, to examine further limiting the functions of the Office of Public-Private Partnership to address these concerns.

Your Committee also requests the Committee on Consumer Protection & Commerce to examine the proposed amendments of the State Procurement Office and Department of Accounting General Services, as provided in their testimonies, as some of the suggested amendments conflict.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1212, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1212, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Eli, Ward).

SCRep. 253 Government Reform on H.B. No. 1325

The purpose of this measure is to:

- (1) Require public contractors to obtain insurance to cover at least half of a project's construction costs to the State to provide funds for curing construction defects discovered within five years after the completion of the contract; and
- (2) Authorize the State to institute an action against the contractor for the total costs of curing those defects.

Your Committee received testimony in opposition to this measure from the General Contractors Association of Hawaii. Your Committee received comments on this measure from the Department of Accounting and General Services and State Procurement Office.

Your Committee finds that this measure places an insurance requirement for public contractors that will cover at least half of a project's costs to the State and provide funds for curing construction defects, which will be advantageous and provide protection to the State to cure any construction defects discovered after the completion of the contract.

Your Committee has amended this measure by:

- (1) Requiring public contractors to have insurance for purposes of curing construction defects discovered within ten years, rather than five, after completion of the contract;
- (2) Authorizing the State to institute an action against a contractor for the total costs of curing defects to within ten years after the date of contract completion, rather than five years;
- (3) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (4) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1325, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1325, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 254 Government Reform on H.B. No. 376

The purpose of this measure is to allow purchasing agencies to use the second lowest bid method for procurement.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received testimony in opposition to this measure from the Department of Accounting and General Services and State Procurement Office.

Your Committee finds that the second lowest bid method of procurement may allow the procurement agency to reserve the right to reject the lowest bidder, should there be justification after reasonable and diligent inquiry and evaluation, to support the lowest bidder as nonresponsible and award the second lowest bidder, which would be in the best interest of the State.

Your Committee notes that the measure as introduced may be difficult to implement. Testimony received on this measure by your Committee recommended moving the process in this measure to the competitive sealed bidding process, which would be a tool for use in the final selection of awarding contracts.

Your Committee has amended this measure by:

- (1) Deleting language that established the second lowest bid method for procurement as a new section in the Public Procurement Code and instead, inserting language that amends the existing competitive sealed bidding process in the Public Procurement Code to allow purchasing agencies to award a contract to the second lowest responsible and responsive bidder in certain cases, as determined by the purchasing agency;
- (2) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee requests your Committee on Consumer Protection & Commerce, should it choose to deliberate on this measure, to work with the State Procurement Office on the applicability of using the second lowest bid method for procurement through the competitive sealed bidding process.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 376, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 376, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 255 Government Reform on H.B. No. 817

The purpose of this measure is to establish benchmarks that require each state department that purchases produce to make sure that a certain percentage of the produce purchased by that department is locally-grown and report to the Legislature on the progress of each department toward meeting those benchmarks.

Your Committee received comments on this measure from the Department of Education, Department of Agriculture, State Procurement Office, Ulupono Initiative, and Hawaii Farm Bureau.

Your Committee finds that supporting local businesses and encouraging the production and use of local agricultural products is a matter of statewide concern. Requiring state departments to establish and meet benchmarks for the purchase of local produce, as proposed by this measure, will support local farmers and ranchers with a consistent market, provide fresh and healthy products to the community, and keep state money here in Hawaii.

Your Committee has amended this measure by:

- (1) Inserting a preamble;
- (2) Moving the locally-grown produce benchmark requirements out of the Procurement Code and to chapter 27, Hawaii Revised Statutes, which relates to state functions and responsibilities;
- (3) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee recognizes that chapter 103D, Hawaii Revised Statutes, may not be the appropriate chapter to accomplish the locally-grown produce benchmarks established by this measure. Your Committee has accordingly amended this measure to move the benchmarks to chapter 27, Hawaii Revised Statutes, to ensure that the state government as a whole meets the goals as prescribed therein.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 817, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 817, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 256 Government Reform on H.B. No. 849

The purpose of this measure is to assist in the administration of procurement contracts in the State by:

- (1) Establishing a Contract Administration Office;
- (2) Requiring the Procurement Policy Board to adopt rules for the administration of contracts; and
- (3) Requiring the State Procurement Office to submit a progress report to the Legislature.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from the Department of Accounting and General Services and State Procurement Office.

Your Committee finds that the efficiency, quality, and administration of procurement contracts for capital improvement projects in the State is necessary and important to the economy.

Your Committee has amended this measure by:

- (1) Inserting a sunset date of June 30, 2026;
- (2) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that concerns were raised in testimony before your Committee that the establishment of a Contract Administration Office will duplicate many of the contract administrative functions currently discharged by several agencies. Due to these concerns, your Committee amended this measure to insert a sunset date of June 30, 2026, which, along with the State Procurement Office's report to the Legislature of the Regular Session of 2022, will allow for further evaluation of the effectiveness of the Contract Administration Office.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 849, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 849, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 257 Government Reform on H.B. No. 1355

The purpose of this measure is to require:

- (1) Procurement officers to document whether to pursue a design professional for damages in the event of construction cost overruns;
- (2) The Chief Procurement Officer to:
 - (A) Compile a public list of construction companies or design professionals that are in noncompliance with the Procurement Code or have outstanding fines or penalties incurred in violation of the Procurement Code; and
 - (B) Adopt or amend rules to allow state procurement officers to request that cost or pricing data be certified upon initial bid submission and not after the conclusion of contract negotiations;
- (3) The State Procurement Office to include training on the duty of procurement officers to hold design professionals liable for breaches of professional standards; and
- (4) The Legislative Reference Bureau to conduct a study on the laws and regulations relating to construction management policies and procedures applicable to the Procurement Code.

Your Committee received testimony in opposition to this measure from Hart Crowser, Inc.; Yogi Kwong Engineers, LLC; American Council of Engineering Companies of Hawaii; Okahara and Associates, Inc.; CONSOR Engineers, LLC; ParEn Inc. dba Park Engineering; Gray Hong Nojima & Associates, Inc.; and Fukunaga & Associates, Inc. Your Committee received comments on this measure from the Department of Accounting and General Services, State Procurement Office, and Legislative Reference Bureau.

Your Committee finds that this measure will help in preventing cost overruns for state projects and ensure compliance with the Procurement Code by construction companies and design professionals.

Your Committee has amended this measure by:

- (1) Applying the liability determination for cost overruns provision to contractors;
- (2) Specifying that noncompliant construction companies and design professionals are to remain on the list available on the State Procurement Office's website for five years;
- (3) Inserting language providing that construction cost overruns shall constitute a tort for purposes of the review and findings on the issues of liability and damages in tort claims against design professionals by the Design Claim Conciliation Panel;
- (4) Requiring bids for a contract under the competitive sealed bidding process to include a liability contingency fund of an unspecified percent of the project cost to avoid cost overruns;
- (5) Clarifying the definition of "construction defect" under the Contractor Repair Act, to include construction cost overruns;
- (6) Establishing the Procurement Professional Standards Task Force within the Department of Accounting and General Services to develop professional standards for non-state parties involved in the procurement process and requiring the task force to report to the Legislature prior to the Regular Session of 2022;
- (7) Deleting language that would have required the Legislative Reference Bureau to conduct a study relating to Procurement Code construction management policies and procedures and report to the Legislature;
- (8) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee recognizes the numerous concerns raised by testifiers regarding this measure. Your Committee has taken those concerns into consideration and has amended this measure based on a preliminary consensus from the stakeholders. Your Committee in particular wishes to note the concerns raised by

the Legislative Reference Bureau (Bureau) about the Bureau's lack of expertise in the fields of public procurement enforcement, design professionals, or contract management. Your Committee believes that a working group co-chaired by the Comptroller and Chief Procurement Officer and consisting of five additional members invited by the Comptroller, as contained in this amended measure, will be better suited to address concerns relating to professional standards for non-state parties involved in the procurement process.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1355, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1355, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 258 Consumer Protection & Commerce on H.B. No. 771

The purpose of this measure is to establish a three-year surcharge on liquors.

Your Committee received testimony in support of this measure from Hawaii Substance Abuse Coalition, Hawaii Fetal Alcohol Spectrum Disorder Action Group, Mothers Against Drunk Driving Hawaii, SparksInitiatives, Hawai'i Alcohol Policy Alliance, A Family Tree, Hawaii State Teachers Association, and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii Bar Owners Association; Anheuser Busch Companies; Kauai Beer Company; Distilled Spirits Council of the United States; Honolulu Beerworks; Lanikai Brewing Company; Wine Institute; Beer Lab HI; Big Island Brewhaus; Hawaiian Craft Brewers Guild; Maui Wine, Ltd.; Hana Koa Brewing Co.; Retail Merchants of Hawaii; Kaua'i Island Brewing Co., LLC.; The Odom Corporation; Maui Brewing Co.; Hawaii Food Industry Association; Maui Chamber of Commerce; Waikiki Brewing Company; and two individuals. Your Committee received comments on this measure from the Department of Taxation, Department of Health, Tax Foundation of Hawaii, and Grassroot Institute of Hawaii.

Your Committee finds that the State's fiscal condition necessitates considering alternative or temporary forms of revenue. Your Committee further finds that irresponsible alcohol consumption leads to various health and social problems. However, your Committee also finds that the State already has the third highest excise tax on alcohol in the nation, and a further surcharge may detrimentally harm local businesses during a time of extreme financial hardship. Your Committee notes that further discussion should continue to determine whether this is the most appropriate manner for raising revenues. Your Committee also notes that testimony requested that the surcharge be 10 cents, if established.

Your Committee has amended this measure by changing the effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 771, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 771, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 10; Ayes with Reservations (Onishi, Tarnas, Matsumoto). Noes, 1 (Kong). Excused, none.

SCRep. 259 Education on H.B. No. 613

The purpose of this bill is to effectuate its title.

H.B. No. 613 was introduced as a short-form bill, which is sometimes referred to as a "vehicle" bill primarily used to introduce a bill containing only a general idea as to the purpose of the bill without specific details in the long form.

Your Committee has amended the bill to provide the substantive contents of the bill in long form so that a public hearing may be properly held on its substantive contents.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the action to report out H.B. No. 613, as amended herein, and recommends that it be recommitted to your Committee on Education, for the purpose of holding a public hearing thereon, in the form attached hereto as H.B. No. 613, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, 4 (Belatti, Ohno, Quinlan, Takayama).

SCRep. 260 Economic Development on H.B. No. 757

The purpose of this measure is to amend the composition of the Board of Directors of the Hawaii Housing Finance and Development Corporation by:

- (1) Adding a member of the Hawaiian Homes Commission; and
- (2) Reducing the number of public members appointed by the Governor.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands. Your Committee received testimony in opposition to this measure from the Hawaii Housing Finance and Development Corporation; Michaels Development – Hawai'i Region; EAH Housing; Schatz Collaborative LLC; Stanford Carr Development, LLC; and Āhē Group.

Your Committee finds that the Hawaii Housing Finance and Development Corporation is tasked with developing and financing low- and moderate-income housing projects and administering homeownership programs. Including the Chairperson of the Hawaiian Homes Commission on the Board of Directors of the Hawaii Housing Finance and Development Corporation will allow for greater collaboration between the agencies.

Your Committee has amended this measure by:

- (1) Increasing the members on the Board of Directors of the Hawaii Housing Finance and Development Corporation to eleven members, seven of whom shall be public members appointed by the Governor;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 757, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 757, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 261 Higher Education & Technology on H.B. No. 1071

The purpose of this measure is to:

- (1) Require the Independent Audit Committee Chair of the University of Hawaii Board of Regents to be selected in a manner consistent with the Board's Bylaws;
- (2) Limit the Board's flexibility to appoint members with certain skill sets to its independent audit committee; and
- (3) Clarify the Independent Audit Committee's role with regard to enterprise risk management.

Your Committee received testimony in support of this measure from the Office of the Board of Regents.

Your Committee finds that the Independent Audit Committee is an advisory body that is established by the University of Hawaii Board of Regents' Bylaws and is statutorily established in section 304A-321, Hawaii Revised Statutes. Your Committee also finds that the existing statute may inadvertently create a situation in which the Independent Audit Committee does not have a chair, such as when the committee chair's term on the Board of Regents ends on June 30 and committee membership is pending election of a Board of Regents' chair. This measure makes the appointment of the Independent Audit Committee Chair consistent with the Board of Regents' Bylaws and makes other clarifying amendments.

Your Committee has amended this measure by:

- (1) Exempting the Independent Audit Committee from the Administrative Procedures Law and certain Public Agency Meetings and Records Law requirements in its discussions with internal and external auditors on matters that should remain confidential and, at the discretion of the Independent Audit Committee Chair, allowing the discussions to be held in the absence of the University of Hawaii President or Chief Financial Officer;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1071, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1071, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 262 Higher Education & Technology on H.B. No. 33

The purpose of this measure is to support the Information Technology Steering Committee in developing the State's information technology standards and policies by amending the terms and composition of the committee members and requiring the Committee's Chief Information Officer to present an annual report to the Committee for public comment prior to submitting the report to the Governor and the Legislature.

Your Committee received testimony in support of this measure from the Department of Education, Office of Enterprise Technology Services, and Transform Hawai'i Government.

Your Committee notes that the Information Technology Steering Committee was established to assist the Chief Information Officer of the Office of Enterprise Technology Services in developing the State's information network in conjunction with overall plans for establishing a communication backbone for state government. The expansiveness of the Steering Committee's responsibilities requires stability in membership in a rapidly changing technology environment. Appointment of members by the Superintendent of Education and University of Hawaii President will ensure a strong educational component in information technology discussions, input, and decision-making.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 33, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 33, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Okimoto). Noes, none. Excused, none.

SCRep. 263 Housing on H.B. No. 907

The purpose of this measure is to repeal the Hawaii Housing Finance and Development Corporation's Downpayment Loan Assistance Program and Homebuyers' Club Program.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Hawaii Housing Finance and Development Corporation.

Your Committee notes that this measure repeals two inactive and obsolete programs of the Hawaii Housing Finance and Development Corporation. The Downpayment Loan Assistance Program and Homebuyers' Club Program are neither cost effective or necessary since there are similar types of programs currently being operated by non-profit entities and financial institutions.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 907, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 907, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 264 Judiciary & Hawaiian Affairs on H.B. No. 652

The purpose of this measure is to exempt active members of the Hawaii Emergency Management Agency and county emergency management agencies from jury duty.

Your Committee received testimony in support of this measure from the Maui Emergency Management Agency, Kaua'i Emergency Management Agency, and two individuals. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that the Hawaii Emergency Management Agency and county emergency management agencies serve essential, critical, and unique roles and functions in providing emergency management for the State, including during the COVID-19 pandemic. Active members of these agencies should not face hindrances in the performance of these vital roles.

Should your Committee on Finance deliberate on this measure further, your Committee on Judiciary & Hawaiian Affairs respectfully requests that it consider whether inserting a repeal date after the end of the COVID-19 pandemic is appropriate.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 652 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (McKelvey). Noes, none. Excused, 1 (Tokioka).

SCRep. 265 Judiciary & Hawaiian Affairs on H.B. No. 73

The purpose of this measure is to include telecommunications dispatchers within the definition of "emergency worker" in the Hawaii Penal Code. Specifically, this measure will provide heightened penalties for any person who commits the offense of assault against a telecommunications dispatcher during an emergency period.

Your Committee received testimony in support of this measure from the Department of Health; Department of Health Environmental Health Administration; Enhanced 911 Board; Maui Police Department; Honolulu Police Department; Hawaii Police Department; Hawaii Fire Department; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Paradise Medical Services, LLC; and numerous individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that telecommunications dispatchers play a vital role in partnership with their in-the-field first responder colleagues. Your Committee further finds that telecommunications dispatchers undergo extensive training to develop skills that allow them to assist individuals during a variety of situations. Your Committee believes that telecommunications dispatchers should be protected under the Hawaii Penal Code similar to their in-the-field first responder colleagues.

Your Committee has amended this measure by:

- (1) Including Hawaii state on-scene coordinators and Hawaii state hospital telephone operators within the definition of "emergency worker" in the Hawaii Penal Code; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 73, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 73, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Tokioka).

SCRep. 266 Judiciary & Hawaiian Affairs on H.B. No. 1090

The purpose of this measure is to amend the requirements for child passenger restraints in motor vehicles by:

- (1) Requiring rear-facing child safety seats for children less than two years of age;
- (2) Requiring rear-facing or forward-facing child safety seats for children at least two years of age but less than four years of age;
- (3) Requiring the use of child safety seats or booster seats for certain children at least four years of age but less than seven years of age;
- (4) Requiring the use of child safety seats or booster seats for certain children at least seven years of age but less than ten years of age;
- (5) Repealing an exemption for when the number of persons in a vehicle exceeds the greater of the number of seat belt assemblies available or originally installed in the vehicle;
- (6) Repealing language that prohibited failure to restrain a child in accordance with law from being considered contributory negligence, comparative negligence, or negligence per se; and
- (7) Raising certain fines for violations.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, Safe Kids Hawaii at Kapiolani Medical Center for Women and Children, and Keiki Injury Prevention Coalition.

Your Committee finds that fifteen states have requirements that children under the age of two be in rear-facing car seats. The American Academy of Pediatrics recommends the use of rear-facing car seats for as long as possible, typically until the age of two as they are vulnerable to head and spinal injuries in a motor vehicle crash as their neck and skeleton are not capable of supporting them during a crash. This measure would reduce motor vehicle fatalities and serious injuries in the State.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1090 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 267 Higher Education & Technology on H.B. No. 1064

The purpose of this measure is to allow the University of Hawaii to continue its contribution to research commercialization and economic development by repealing the sunset provision in Act 38, Session Laws of Hawaii 2017.

Your Committee received testimony in support of this measure from the University of Hawai'i System and Hawaii Business Roundtable. Your Committee received comments on this measure from the Hawai'i State Ethics Commission.

Your Committee notes that in 2017, the Legislature supported the University of Hawaii's efforts to promote the commercialization of inventions and discoveries generated by the University's faculty, students, and alumni. Act 38, Session Laws of Hawaii 2017, which sunsets on June 30, 2022, exempted University of Hawaii-sponsored technology transfer activities from specific sections of the State Ethics Code as long as the technology transfer activities complied with the regulatory framework and research compliance program and policies approved by the University of Hawaii Board of Regents.

Your Committee finds that on August 20, 2020, the Board of Regents adopted Regents Policy RP 12.211, "Ethical Guidelines in the Conduct of Technology Transfer Activities". On October 16, 2020, the University of Hawaii President approved an executive policy to implement the Board of Regents' policy. Your Committee finds that repealing the June 30, 2022, sunset date will enable the University of Hawaii to continue to regulate conflicts of interest and other ethical issues for the technology transfer activities it sponsors.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1064, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1064, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Gates).

SCRep. 268 Higher Education & Technology on H.B. No. 1065

The purpose of this measure is to make the Innovation and Commercialization Initiative Program permanent by repealing the sunset provision in Act 39, Session Laws of Hawaii 2017.

Your Committee received testimony in support of this measure from the University of Hawai'i System and Hawaii Business Roundtable.

Your Committee finds that Act 39, Session Laws of Hawaii 2017, established the Innovation and Commercialization Initiative Program within the University of Hawaii. This program provides express statutory authority to enable and facilitate the deployment of University of Hawaii educational and instructional resources, managerial and fiscal resources, and personnel to promote the economic health and diversification of workforce opportunities in the State through commercialization of inventions and discoveries generated by or at the University of Hawaii. Your Committee recognizes that making the Innovation and Commercialization Initiative Program permanent will enable the University of Hawaii to continue to collaborate and complement other research commercialization or venture funding programs by other state agencies, as well as further research commercialization and economic development in the State.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the revenues earned by the University of Hawaii through commercialization of discoveries have been relatively slight compared to the cost of operating the Innovation and Commercialization Initiative Program. Your Committee encourages the University of Hawaii to maximize commercialization of its research and innovation activities to further academic, science, technological, and economic growth.

As affirmed by the record of votes of the members of your Committee on Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1065, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1065, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Gates).

SCRep. 269 Higher Education & Technology on H.B. No. 313

The purpose of this measure is to address the physician shortage in the State by:

- (1) Repealing the requirement that a certain percentage of assessment fees deposited into the John A. Burns School of Medicine Special Fund be used for purposes identified by the Hawaii Medical Education Council;
- (2) Repealing the monetary cap of expenditures from the John A. Burns School of Medicine Special Fund; and
- (3) Authorizing the John A. Burns School of Medicine Special Fund to provide loan repayment to physicians who commit to working in medically underserved areas of the State as part of the Hawaii Rural Health Care Provider Loan Repayment Program and scholarships for qualifying medical students.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Department of Labor and Industrial Relations, Hilo Medical Center Foundation, Hawaii State Rural Health Association, Hawaii Medical Association, and Hawaii Primary Care Association. Your Committee received comments on this measure from the Hawaii Medical Board.

Your Committee finds that besides a physician workforce shortage in the State, Hawaii also faces a critical need for physicians to serve in rural and medically underserved communities in the State. According to the University of Hawaii, the shortage of physicians is as high as 1,008 and is compounded by Hawaii having the fifth oldest physician workforce of all states. Your Committee notes that more than half of the State's physicians will be over age sixty-five within ten years. Your Committee further finds that this measure will enable the John A. Burns School of Medicine to expand the use of funding received through the Physician Workforce Assessment Project and strengthen the physician workforce in the State through loan repayment and scholarships from the John A. Burns School of Medicine Special Fund.

As the need for physicians in rural and medically underserved communities is great, your Committee urges that recipients of loan repayment and scholarships practice in these specific areas after completing their medical education and training.

Your Committee has amended this measure by:

- (1) Correctly identifying the loan repayment program as the Hawaii Rural Health Care Provider Loan Repayment Program; and

(2) 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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 313, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 313, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Gates).

SCRep. 270 Transportation on H.B. No. 510

The purpose of this measure is to establish a vehicle registration fee tax credit for individuals who are eligible for a refundable food/excise tax credit greater than \$0.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that Hawaii is one of only 13 states that collect an annual vehicle registration tax based on the weight of a vehicle. This means the registration fee for an expensive luxury vehicle could potentially be less than a cheaper vehicle, simply because the luxury vehicle weighs less. In addition, taxpayers are required to pay an additional weight tax to their respective county. Your Committee further finds that taxes and fees associated with vehicles are not based on equity, like the income tax. As a result, low- and middle-income residents are required to pay a larger share of their income to those taxes and fees compared to high-income residents. This measure would provide equity for certain residents by offsetting a portion of the registration fee with a vehicle registration tax credit.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 510, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 510, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 271 Transportation on H.B. No. 1321

The purpose of this measure is to require, and appropriate funds for, the Department of Transportation or appropriate county agency to post depth gauge signs on public highways in a manner consistent with the Federal Highway Administration's Manual on Uniform Traffic Control Devices.

Your Committee received testimony in support of this measure from the Department of Transportation and one individual.

Your Committee finds that posting depth gauge signs at appropriate locations will help to increase highway safety by allowing drivers to easily determine the depth of water on a flooded road before decided whether it is safe to proceed. Depth gauge signs will act as a supplemental device to notify the public to exert caution when driving in potentially dangerous flood hazard areas during a storm, thereby improving public safety on state highways.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1321, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1321, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 272 Transportation on H.B. No. 194

The purpose of this measure is to extend the period in which a county may adopt a surcharge on state tax, under certain conditions, from March 31, 2019, to June 30, 2022.

Your Committee received testimony in support of this measure from the Maui County Council. Your Committee received comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, and Maui Chamber of Commerce.

Your Committee finds that existing law authorized counties to establish a county surcharge on state taxes in order to financially assist the counties with operating or capital costs of public transportation. However, not all counties were able to establish a surcharge by the mandated deadline and therefore are burdened with the operating and capital costs of public transportation. Your Committee believes that providing another opportunity to establish a county surcharge will alleviate and equalize any financial burden of certain public transportation costs.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 194, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 194, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 273 Transportation on H.B. No. 1093

The purpose of this measure is to authorize the Director of Transportation to transfer funding between program identification numbers within the Harbors Division; provided that the aggregate amount of funds transferred in a year does not exceed an unspecified amount.

Your Committee received testimony in support of this measure from the Department of Transportation; Young Brothers, LLC; and Matson Navigation Company, Inc.

Your Committee finds that as an island state, Hawaii is highly dependent on commercial harbors to ensure the continued and unimpeded flow of cargo in and out of the State. It is estimated that over 90 percent of imported goods pass through commercial harbors. This measure would allow the Harbors Division of the Department of Transportation flexibility with its funds to ensure that the State's harbors are properly maintained and allow the Harbors Division to continue to provide necessary goods to the people of Hawaii.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1093, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1093, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 274 Transportation on H.B. No. 1059

The purpose of this measure is to repeal certain obsolete or unnecessary statutes, which include the Transportation Improvement Special Fund, Kewalo Basin and Honolulu Harbor use permits, and fireboat maintenance requirements.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that there are certain provisions in the Hawaii Revised Statutes relating to the Department of Transportation that are either obsolete or no longer necessary. This includes the Transportation Improvement Special Fund, which currently has no funds remaining because all improvement projects are completed, and the Kewalo Basin and Honolulu Harbor use permits, which are no longer under the purview of the Department of Transportation. In addition, the Department of Transportation no longer owns any fireboats, making any statutory language relating to this unnecessary. This measure will act as a housekeeping measure by deleting unnecessary provisions in statute.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1059 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 275 Transportation on H.B. No. 64

The purpose of this measure is to abolish, repeal, or reclassify various non-general funds of the Department of Transportation.

Your Committee received comments on this measure from the Department of Transportation, Department of Transportation Services of the City and County of Honolulu, Tax Foundation of Hawaii, and Airlines for America.

Your Committee finds that existing law requires the Auditor to review each state department's special, revolving, and trust funds every five years. The Auditor's Report No. 19-05 recommended that certain non-general funds be reclassified or repealed to achieve greater fiscal accountability in the Department of Transportation. This measure would attempt to do so by adopting the Auditor's recommendations and abolish, repeal, or reclassify various non-general funds within the Department of Transportation.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 64 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 276 Transportation on H.B. No. 775

The purpose of this measure is to rename the Kahului Airport Access Road to the Mayor Elmer F. Cravalho Way.

Your Committee received testimony in support of this measure from the Department of Transportation, Mayor of the County of Maui, one member with the Maui County Council, and six individuals. Your Committee received testimony in opposition to this measure from four individuals.

Your Committee finds that Mayor Elmer Cravalho is known as an iconic figure throughout the County of Maui and around the State for his work in creating a robust economy in tourism and high technology. Mayor Cravalho held various leadership positions in the public and private sectors within the County of Maui, having served as the first Speaker of the House of Representatives from 1959 to 1967 and then the first Mayor of Maui until July 24, 1979. Your Committee believes that naming the Kahului Airport Access Road after Mayor Cravalho is an appropriate way to recognize the legacy of Mayor Cravalho in the County of Maui.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 775 and recommends that it pass Second Reading and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 277 Transportation on H.B. No. 434

The purpose of this measure is to establish a non-commercial aircraft landing fee and non-commercial aircraft storage fee and direct the proceeds into the general fund.

Your Committee received testimony in opposition to this measure from the Department of Transportation and Aircraft Owners and Pilots Association. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that aviation contributes a significant amount of carbon dioxide emissions to the environment. Your Committee further finds that private aircrafts emit significantly greater amounts of carbon per passenger compared to commercial aircrafts. Your Committee believes that to better align

with the State's goal of reaching net carbon neutrality by 2045, imposing additional fees for non-commercial aircrafts, such as landing and storage fees, will help reduce the demand for private aircrafts and its impact on carbon dioxide emission.

Your Committee notes the testimony of the Department of the Attorney General regarding a potential conflict with federal law, which requires that revenues generated by a public airport be expended for the capital or operating costs of the airport, airport system, or other local facilities owned or operated by the airport owner. As currently drafted, this measure would require the revenues to be deposited into the general fund, creating the potential conflict with federal law.

Accordingly, your Committee has amended this measure by:

- (1) Changing the fund in which the proceeds from the non-commercial aircraft landing fee and non-commercial aircraft storage fee are deposited into from the general fund to the Airport Revenue Fund;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 434, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 434, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 278 Transportation on H.B. No. 1058

The purpose of this measure is to amend registration requirements for motor carrier vehicles that have an outstanding federal out-of-service order.

Your Committee received testimony in support of this measure from the Department of Transportation, Department of Customer Services of the City and County of Honolulu, and Hawaii Transportation Association.

Your Committee finds that some state programs relating to motor carrier safety are funded through federal grants, such as the Motor Carrier Safety Assistance Program. Your Committee further finds that in 2015, compliance with the Performance Registration Information Systems Management Program, which identifies motor carrier vehicles that are under a federal out-of-service order due to deficiencies found in a compliance review inspection, was made mandatory in order to continue receiving federal grant monies. This measure will allow the State to qualify under federal law and continue to receive grant money necessary for motor carrier safety programs.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1058, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1058, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 279 Transportation on H.B. No. 1063

The purpose of this measure is to amend the number of members on the State Highway Safety Council.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that the State Highway Safety Council advises the Governor on highway safety matters. Existing law requires that no more than twenty people be appointed by the Governor to serve on the Highway Safety Council. However, your Committee notes that there has been difficulty finding qualified and suitable candidates to fulfil this requirement. This measure will enable the Highway Safety Council to achieve quorum and take action on important measures by reducing the number of members appointed to the Council.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1063, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1063, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 280 Economic Development on H.B. No. 1041

The purpose of this measure is to conform Hawaii income and estate and generation-skipping transfer tax laws to the Internal Revenue Code of 1986, as amended as of December 31, 2020.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that this annual conformity measure is submitted by the Department of Taxation to ensure state income tax and state estate and generation-skipping transfer tax laws conform to the federal Internal Revenue Code as it exists on the December 31st preceding each Regular Session. The purpose of conformity is to update the state tax laws with those changes made to the federal Internal Revenue Code during the past year and to adopt those changes that are appropriate for Hawaii law.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1041, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1041, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 281 Economic Development on H.B. No. 912

The purpose of this measure is to:

- (1) Consolidate the survey and certification requirements for the Research Activities Tax Credit;
- (2) Require the certification on a first come, first served basis by date subject to certain conditions; and
- (3) Add a cap for the taxpayer and related entities.

Your Committee received testimony in support of this measure from the Department of Taxation; Department of Business, Economic Development, and Tourism; and Hawaii Technology Development Corporation. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that the tax credit for research activities is important to the success of local research and high technology companies, as it allows these companies to remain competitive with mainland companies. This measure provides further clarity and consistency in the administration of the tax credit to foster job growth and diversify the State's economy.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 912, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 912, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 282 Economic Development on H.B. No. 904

The purpose of this measure is to:

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

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that the Hawaii Film and Creative Industries Development Special Fund supports the film, media, and creative industries in the State. This measure would expand the authorized uses of the Special Fund to ensure that there are significant economic benefits for the State from the Hawaii film and creative industries.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 904, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 904, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 283 Agriculture on H.B. No. 756

The purpose of this measure is to add the chairperson of the Hawaiian Homes Commission as an ex officio voting member of the Board of Agriculture.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and one individual. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that the interests of agricultural lessees of Hawaiian homesteads should be represented on the Board of Agriculture. However, your Committee also recognizes that adding the Chairperson of the Hawaiian Homes Commission as an additional ex-officio member of the Board increases the total number of board members, which could create a precedent for other stakeholder groups to request further expansion of the Board and compromise its ability to govern efficiently.

Your Committee has amended this measure by:

- (1) Reducing the number of at-large positions on the Board of Agriculture by one and redesignating this position as an ex officio position to be filled by the chairperson of the Hawaiian Homes Commission; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, 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 is in accord with the intent and purpose of H.B. No. 756, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 756, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 284 Agriculture on H.B. No. 874

The purpose of this measure is to:

- (1) Extend the Important Agricultural Land Qualified Agricultural Cost Tax Credit that will expire at the end of the 2021 tax year; and
- (2) Help the State address its current fiscal shortfall, caused by the COVID-19 pandemic, by delaying taxpayers from claiming and applying the tax credit for at least three full taxable years after the credit is earned.

Your Committee received testimony in support of this measure from the Department of Taxation; Department of Agriculture; Agribusiness Development Corporation; Office of Planning; Hawaii Farm Bureau; Uluopono Initiative; and Carpenter & Carpenter, Inc. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that the continuation of the Important Agricultural Land Qualified Agricultural Cost Tax Credit helps move Hawaii toward greater food self-sufficiency. At the same time, your Committee recognizes the State's dire financial situation, which necessitates a three-year delay in allowing qualified landowners and farmers to claim the credit.

Your Committee has amended this measure by:

- (1) Specifying that it applies to taxable years beginning after December 31, 2021; and
- (2) 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 874, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 874, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 285 Agriculture on H.B. No. 876

The purpose of this measure is to amend the membership of the Advisory Committee on Pesticides by replacing the statutory requirement for representatives of the pineapple and sugar industries with representatives of the coffee and diversified agriculture industries.

Your Committee received testimony in support of this measure from the Department of Agriculture, Synergistic Hawaii Agriculture Council, Hawaii Farm Bureau, Hawaii Coffee Association, and five individuals.

Your Committee finds that at the time of the Advisory Committee on Pesticide's establishment, the sugar and pineapple industries were major stakeholders in the State's agricultural landscape, which covered more than 300,000 acres. However, in 2017, those two crops accounted for less than 5,000 acres. In comparison, the diversified agriculture and coffee industries have accounted for more than \$84,000,000 and \$43,000,000, respectively, in the State. This measure therefore updates the composition of the Advisory Committee to more accurately reflect the current agriculture industry in the State.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 876 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Tokioka). Noes, none. Excused, none.

SCRep. 286 Agriculture on H.B. No. 1287

The purpose of this measure is to require all dog and cat owners to microchip their pets, if the pets are not otherwise licensed.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Kauai Humane Society, Poi Dogs & Popoki, and four individuals. Your Committee received testimony in opposition to this measure from Neighborhood Cats and one individual.

Your Committee finds that microchips are the safest, most accessible, and most affordable identification tool for pet owners. Microchipping pets can also bypass the need for animal control, save taxpayer money by eliminating the cost of intake and boarding of lost pets, and avoid additional stress on an owner and the pet during the period of separation.

Your Committee has amended this measure by making a technical, nonsubstantive amendment for the purpose of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1287, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1287, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 287 Economic Development on H.B. No. 1049

The purpose of this measure is to make nonsubstantive changes to Title 14, Hawaii Revised Statutes, for clarity and to delete obsolete provisions.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that it is necessary to amend and repeal various provisions of the Hawaii Revised Statutes for the purposes of correcting errors and references, clarifying language, or deleting obsolete or unnecessary provisions. This measure adds clarity to the law and allows for more effective administration.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1049, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1049, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 288 Economic Development on H.B. No. 1044

The purpose of this measure is to:

- (1) Authorize the Department of Taxation to mandate the electronic filing for certain partnerships, S-corporations, and individual tax returns;
- (2) Require certain tax return preparers to file returns electronically;
- (3) Amend the requirements for filing and payment of taxes by electronic funds transfer;
- (4) Amend the penalty for failure to file electronically;
- (5) Remove the fee for certified copies of tax clearances;
- (6) Authorize the limited disclosure of liquor licensees' tax clearances; and
- (7) Clarify the interest rate for payments made to taxpayers out of the Litigated Claims Fund.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that electronic filing of tax returns improves accuracy, timeliness, and efficiency. This measure is intended to encourage increased usage of electronic filing by entities having the ability and sophistication to easily comply with electronic filing requirements. Additionally, this measure is intended to provide clarification by establishing fixed interest rates for payments made to taxpayers out of the Litigated Claims Fund.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1044, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1044, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 289 Consumer Protection & Commerce on H.B. No. 571

The purpose of this measure is to establish the offense of importation, sale, or possession of a childlike sex doll.

Your Committee received testimony in support of this measure from Homeland Security Investigations, Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, Honolulu Police Department, and one individual.

Your Committee finds that ownership and possession of childlike sex dolls are indicative of an individual's desire to sexually abuse a child, if presented with the opportunity. Your Committee further finds that some other states have adopted a ban on childlike sex dolls and that adopting a similar ban will help protect the State's most vulnerable population from predatory sex offenders.

Your Committee has amended this measure by:

- (1) Specifying that childlike sex dolls are those that resemble a person below the age of eighteen years, rather than below the age of puberty; and
- (2) Changing the effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 571, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 571, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 290 Consumer Protection & Commerce on H.B. No. 223

The purpose of this measure is to establish continuing education requirements for massage therapists, beginning with renewals for the biennium period beginning July 1, 2022.

Your Committee received testimony in support of this measure from the Board of Massage Therapy, American Massage Therapy Association – Hawaii Chapter, and three individuals.

Your Committee finds that other jurisdictions require massage therapists to complete continuing education before license renewals are granted. Your Committee further finds that continuing education allows professionals to be current on best industry practices.

Your Committee notes that the Board of Massage Therapy requested a delayed implementation date of July 1, 2024, to provide time to notify licensees of the new requirements and allow licensees a full biennium license period in which to fulfill the requirements.

Your Committee has amended this measure by:

- (1) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 223, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 223, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 291 Consumer Protection & Commerce on H.B. No. 1263

The purpose of this measure is to establish a system of graduated penalties for violations of, and requiring proof of compliance with, the ignition interlock law.

Your Committee received testimony in support of this measure from the Department of Transportation, Maui Police Department, Casanova Powell Consulting, Smart Start LLC, Traffic Injury Research Foundation, and The Foundation for Advancing Alcohol Responsibility. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that an ignition interlock device is a small device attached to a vehicle's electrical system that requires a driver to submit to a breath test before the vehicle will start. If alcohol is detected at or above a predetermined threshold, the vehicle will not start. Once the driver passes the test, the vehicle is permitted to start. The device may also require rolling or running retests, where a driver must submit to another breath test at random intervals after the vehicle has been allowed to start.

Your Committee further finds that ignition interlock devices are the only technology to physically separate the act of drinking from the act of driving and will directly prohibit an offender from driving again with alcohol in the offender's system. These devices are effective in preventing persons from reoffending, in contrast to other technologies or programs that do not directly prevent an offender from operating the offender's vehicle.

Your Committee additionally finds that ensuring that offenders have complied with ignition interlock devices or extending the period for which the devices are installed, as proposed in this measure, will protect the public from offenders that risk the health and safety of themselves and others while driving drunk. This measure ensures that offenders demonstrate that they are responsible before being provided with the full privilege of driving given to other drivers. Your Committee notes that thirty-four states have enacted similar legislation requiring an offender to comply with ignition interlock devices before the device may be removed and a driver's license may be issued.

Your Committee notes that under existing law, offenders are not required to install ignition interlock devices; the devices are only required if the offender desires to continue driving during the revocation period. Thus, offenders may simply wait out the revocation period without demonstrating that they are committed to driving responsibly.

Your Committee additionally notes that concerns were raised during the public hearing about the possible costs this measure would impose on offenders and the impact it would have on low-income offenders. Under existing law, financial relief is provided to certain indigent offenders, which currently provides them with a fifty percent discount on the costs associated with ignition interlock devices.

Lastly, your Committee notes that the Department of Transportation recommended in its written testimony to your Committee specific periods for compliance, which may be considered as this measure moves through the legislative process. The Department recommended ninety days for the first revocation or conviction; one hundred eighty days for the second; and one year for the third or subsequent violations.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1263, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1263, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 292 Consumer Protection & Commerce on H.B. No. 264

The purpose of this measure is to make permanent the insurance requirements for transportation network companies and transportation network company drivers enacted by Act 236, Session Laws of Hawaii 2016 (Act 236).

Your Committee received testimony in support of this measure from the Hawaii Insurers Council, Uber Technologies, and American Property Casualty Insurance Association of America.

Your Committee finds that the rising popularity and proliferation of transportation network companies raised concerns about potential gaps in motor vehicle insurance coverage associated with the transportation network companies and their drivers. While other commercial passenger services, such as common carriers by motor vehicle or taxicabs, had commercial insurance that protected passengers and third parties during the course of a commercial activity, drivers of transportation network companies may not have had the proper coverage to protect passengers and third parties during the operation of the motor vehicle as a ride-share.

In response to these concerns, by the end of 2015, twenty-nine states enacted legislation to establish insurance requirements covering transportation network companies and their drivers. In 2016, Hawaii joined those states by enacting Act 236, which established insurance requirements for transportation network companies and their drivers. However, Act 236 is set to repeal on September 1, 2021.

Your Committee further finds that Act 236 is accomplishing its intended goal and should be made permanent.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 264, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 264, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 293 Consumer Protection & Commerce on H.B. No. 459

The purpose of this measure is to bring the State in substantial compliance with federal regulations by requiring the examiner of drivers to disqualify, for life, any person from driving a commercial motor vehicle if the person uses a commercial motor vehicle in the commission of any felony involving an act or practice of severe forms of trafficking in persons.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that on July 23, 2019, the Federal Motor Carrier Safety Administration issued a final rule that amends title 49 Code of Federal Regulations parts 383 and 384 to permanently disqualify individuals convicted of the felony severe form of trafficking in persons from driving a commercial motor vehicle (Final Rule). The Final Rule also requires states to be in substantial compliance with the Final Rule within three years from the date the Final Rule became effective, which was September 23, 2019.

Your Committee further finds that for purposes of determining substantial compliance with the Final Rule, a state shall disqualify an individual from operating a commercial motor vehicle for the same reasons and time periods for which the Secretary of Transportation disqualifies the individual for certain acts. If a state fails to be in substantial compliance with the Final Rule within three years, the federal government is authorized to withhold certain federal funding. In the first year a state fails to be in substantial compliance, four percent of certain federal funds are withheld; for Hawaii, this would be equivalent to \$6,185,220. In subsequent years a state fails to be in substantial compliance, eight percent of certain federal funds are withheld; for Hawaii, this would be equivalent to \$12,370,440. This measure brings Hawaii into substantial conformance with the federal law.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 459, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 459, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 294 Consumer Protection & Commerce on H.B. No. 1056

The purpose of this measure is to authorize the Director of Transportation to adopt administrative rules to:

- (1) Administer and enforce motor carrier vehicle safety inspections; and
- (2) Amend the fees associated with motor carrier vehicle safety inspections.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that authorizing the Department of Transportation to amend administrative rules is a more efficient method for making changes to the motor carrier vehicle safety inspection program, while still allowing for input from the public.

Your Committee has amended this measure by:

- (1) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1056, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1056, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 295 Consumer Protection & Commerce on H.B. No. 1062

The purpose of this measure is to:

- (1) Clarify the validity period of a commercial learner's permit; and
- (2) Bring the State into substantial compliance with federal regulations requiring entry level driver training for certain first-time commercial driver license applicants.

Your Committee received testimony in support of this measure from the Department of Transportation and Department of Customer Services of the City and County of Honolulu.

Your Committee finds that, on December 8, 2016, the Federal Motor Carrier Safety Administration issued a final rule that amends title 49 Code of Federal Regulations part 380, subpart F to require entry-level driver training for certain applicants for commercial driver's licenses or endorsements (Final Rule).

The Final Rule also requires states to be in substantial compliance with the Final Rule within three years from the date the Final Rule became effective, which was February 6, 2017. The date for compliance was extended to February 7, 2022, through an interim final rule. If a state fails to be in substantial compliance with the Final Rule, the federal government is authorized to withhold certain federal funding. In the first year a state fails to be in substantial compliance, four percent of certain federal funds are withheld; for Hawaii, this would be equivalent to \$6,185,220. In subsequent years a state fails to be in substantial compliance, eight percent of certain federal funds are withheld; for Hawaii, this would be equivalent to \$12,370,440. This measure will bring Hawaii into substantial compliance with the Final Rule.

Your Committee has amended this measure by:

- (1) Clarifying that the validity period for a commercial learner's permit begins on the date the permit was issued for applicants who are not required to take a knowledge test;
- (2) Inserting a grandfather clause allowing persons holding a valid commercial learner's permit or commercial driver's license that was obtained before February 7, 2022, to be exempt from the entry-level driver training requirements;
- (3) Specifying that the entry-level driver training must be verified with the Federal Motor Carrier Safety Administration Training Provider Registry;
- (4) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1062, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1062, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 296 Consumer Protection & Commerce on H.B. No. 940

The purpose of this measure is to:

- (1) Mandate the reporting of suspected financial exploitation of elders and vulnerable adults in relation to securities by broker-dealers and investment advisors;
- (2) Provide immunity for good faith reporting; and
- (3) Authorize the delay of disbursements or transactions in situations of suspected financial exploitation.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Securities Industry Association of Hawaii, NAIFA Hawaii, Hawaii Credit Union League, and Securities Industry and Financial Markets Association. Your Committee received comments on this measure from the Department of Human Services and Office of Information Practices.

Your Committee finds that existing state law requires financial institutes to report suspected instances of financial abuse to the Department of Human Services only when the suspected financial abuse is directed toward, targeted, or committed against a person who is sixty-two years of age or older. Your Committee believes that expanding the mandated reporting requirements to include vulnerable adults as well as those over sixty-two years of age will assist in the early detection of financial abuse and increase the likelihood that an elder or vulnerable adult's assets can be protected or recovered.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 940, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 940, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 297 Consumer Protection & Commerce on H.B. No. 941

The purpose of this measure is to allow the Public Utilities Commission to use electronic filing processes and similar practices as an alternative to hard copy, rather than requiring both.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Public Utilities Commission, and Hawaiian Electric Company. Your Committee received comments on this measure from the Disability and Communication Access Board.

Your Committee finds that certain existing statutory provisions require the Public Utilities Commission to employ hard copy service or filing in addition to electronic filing. This resulted in over ninety-five percent of the Commission's docketed filings being on paper and submitted in-person or via mail. However, in response to the COVID-19 pandemic and the Governor's emergency orders, the Commission implemented a temporary all-electronic filing system to ensure services were still being offered to the public and stakeholders while protecting the health and safety of all persons. Your Committee recognizes that this process has been successful, and this measure will authorize the continuation of this practice beyond the COVID-19 state of emergency.

Your Committee has amended this measure by:

- (1) Removing language that allowed administrative rules to supersede the statutory provisions authorizing electronic filing as an alternative method of submitting documents;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 941, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 941, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 298 Consumer Protection & Commerce on H.B. No. 942

The purpose of this measure is to make various amendments to the State's insurance laws. Specifically, this measure:

- (1) Institutes certain consumer protections with regard to public adjusters, by:
 - (A) Requiring certain contractual terms and disclosures;
 - (B) Specifying the commissions, fee, or other compensation of public adjusters may charge cannot be unreasonable; and
 - (C) Specifying that insureds have a right to rescind with certain restrictions;
- (2) Imposes the standard of conduct that is applied to other insurers upon limited lines motor vehicle rental company producers, owners of self-service storage facilities, and vendors of portable electronics;
- (3) Authorizes the Insurance Commissioner to waive or modify, in whole or part, upon a showing of good cause, any or all fees deposited into the Commissioner's Education and Training Fund and Compliance Resolution Fund;
- (4) Mandates the electronic payment of certain taxes and electronic filing of certain reports, and updates the system utilized for electronic filing;
- (5) Corrects an inaccuracy by stating that public adjusters and bill reviewers handle funds, not premiums;
- (6) Reinstates the right to an administrative hearing and appeal from an order that was inadvertently repealed by Act 279, Session Laws of Hawaii 2019;
- (7) Amends the composition and criteria for choosing members of the Hawaii Joint Underwriting Plan Board of Governors;

- (8) Clarifies that rewards under wellness programs that meet certain criteria do not constitute a rebate by insurers to insureds;
- (9) Deletes the statutory date for extensions of certificates of authority for risk retention groups and authorizes the Insurance Commissioner to establish the dates consistent with the Insurance Commissioner's authority to establish dates for extensions for insurers under the Insurance Code; and
- (10) Repeals the \$140 penalty imposed on pharmacy benefit managers for failure to renew their registration.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii Medical Service Association, and one individual.

Your Committee finds that updating the State's insurance laws is necessary for clarity, to provide greater protections to consumers, and to improve the administration and enforcement of regulated entities. This measure will accomplish all of these goals.

Your Committee has amended this measure by:

- (1) Amending the composition of the Hawaii Joint Underwriting Plan Board of Governors by:
 - (A) Reducing the number of members from nationally organized insurers to four; and
 - (B) Reinstating statutory language requiring two members to be selected by the Insurance Commissioner or nominated by each of the joint underwriting plan classifications;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 942, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 942, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 299 Consumer Protection & Commerce on H.B. No. 1246

The purpose of this measure is to specify that certain violations of the Fireworks Control Law be considered:

- (1) An activity that causes air pollution, which may subject the violator to a citation under the State's Air Pollution Control Act; and
- (2) A violation of noise control rules, which may subject the violator to a citation under the State's noise pollution law.

Your Committee received testimony in support of this measure from the State Fire Council, Honolulu Fire Department, Hawaiian Humane Society, and five individuals. Your Committee received comments on this measure from the Department of Health, Honolulu Police Department, and one individual.

Your Committee finds that the enforcement of the Fireworks Control Law is wanting. Your Committee further finds that enforcement is necessary to protect property from avoidable fire damage; protect persons from fire and explosion-related injuries; minimize respiratory distress caused by the air pollution; and avoid retraumatizing persons who may be adversely impacted by loud explosions.

To promote compliance with the Fireworks Control Law, your Committee finds that alternative enforcement mechanisms or penalties need to be considered, such as violations of the Air Pollution Control Act and noise pollution laws. Your Committee finds that subjecting certain violations of the Fireworks Control Law to the citations and civil penalties under the Air Pollution Control Act and noise pollution laws may help with compliance.

Your Committee has amended this measure by:

- (1) Specifying that violations of certain provisions of the Fireworks Control Law are subject to the civil penalties under Hawaii's Air Pollution Control Act and noise pollution laws;
- (2) Clarifying that the civil penalties and citations under the Air Pollution Control Act and noise pollution laws are in addition to the penalties under the Fireworks Control Law;
- (3) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1246, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1246, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 300 Consumer Protection & Commerce on H.B. No. 1086

The purpose of this measure is to protect animals by:

- (1) Providing civil immunity, absent gross negligence, to veterinarians who render emergency care or treatment to an animal, regardless of whether a veterinarian-client-patient relationship exists; and
- (2) Requiring veterinarians to report certain suspected injuries, killing, or abuse of an animal to law enforcement.

Your Committee received testimony in support of this measure from the Hawaiian Humane Society, Animal Interfaith Alliance in Britain, Pono Advocacy, Animal Rights Hawaii, Hawaii Association of Animal Welfare Agencies, and numerous individuals. Your Committee received comments on this measure from the Board of Veterinary Medicine.

Your Committee finds that veterinarians should be permitted to use their skills and expertise to render emergency aid to animals without the fear of civil liability; provided that the aid is rendered in good faith and absent gross negligence. This measure provides appropriate civil immunity to veterinarians while ensuring the protection of animal health and welfare.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and

- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1086, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1086, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 301 Consumer Protection & Commerce on H.B. No. 352

The purpose of this measure is to:

- (1) Authorize the use of automated recycling kiosks as secondhand dealers under the pawnbrokers and secondhand dealers law; and
- (2) Specify retention requirements for secondhand dealers that operate an automated recycling kiosk.

Your Committee received testimony in support of this measure from the Maui Police Department, TechNet, and ecoATM. Your Committee received testimony in opposition to this measure from the Honolulu Police Department, Hawaii Pawnbrokers Association, and Kamaaina Loan.

Your Committee finds that automated recycling kiosks provide an opportunity for persons to receive income for their old property, while also promoting the recycling of items that may be harmful to the environment if disposed of improperly. Your Committee notes that testimony received at the public hearing raised concerns that this measure may make it more difficult to obtain and verify items under investigation. While companies that testified on this measure have expressed assurances that items are submitted to local law enforcement upon request, your Committee finds that these concerns may be further alleviated if the items that may be accepted by kiosks are limited to handheld electronic devices.

Your Committee has amended this measure by:

- (1) Clarifying that authorized automated recycling kiosks may only accept handheld electronic devices for recycling;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 352, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 352, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 302 Consumer Protection & Commerce on H.B. No. 149

The purpose of this measure is to clarify that county-issued stored-value cards are not subject to the State's law that outlines unfair and deceptive practices with respect to gift certificates.

Your Committee received testimony in support of this measure from the Department of Transportation Services of the City and County of Honolulu.

Your Committee finds counties are modernizing the methods of payment for services they provide through the use of reloadable cards. Your Committee further finds that the law on gift certificates under the State's unfair or deceptive acts or practices could be clarified to explicitly disapply that law to these county-issued stored-value cards.

Your Committee has amended this measure by changing the effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 149, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 149, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 303 Consumer Protection & Commerce on H.B. No. 1116

The purpose of this measure is to require the State to conform to those provisions of the federal Consolidated Appropriations Act, 2021, relating to taxable income and deductible expenses.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii, Hawai'i Restaurant Association, Island Plastic Bags Inc., Hawaii Food Industry Association, Hawai'i Lodging and Tourism Association, and Hawaii Association of Public Accountants. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the Consolidated Appropriations Act, 2021, Public Law 116-260, was enacted by the federal government on December 27, 2020. This Act, among other things, provides federal funding and stipulates federal tax treatment of certain taxable income and deductible expenses.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

Your Committee notes that the Department of Taxation testified at the public hearing on this measure in which it recommended whether the State should conform to those provisions of the Consolidated Appropriations Act, 2021. Should your Committee on Finance consider this measure, your Committee requests that it give consideration to these recommendations.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1116, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1116, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 304 Consumer Protection & Commerce on H.B. No. 47

The purpose of this measure is to relieve homeowner-developers from the burden of filing annual reports and paying the fee for developments consisting of no more than two units, in which one unit is the residence of the developer and the initial sale of the other unit has been completed.

Your Committee received testimony in support of this measure from the Community Associations Institute, Associa, and two individuals. Your Committee received testimony in opposition to this measure from the Real Estate Commission.

Your Committee finds that the Condominium Property Act characterizes homeowner-developers who own two units under a condominium property regime as a developer of a condominium project. Under the Condominium Property Act, developers are required to file an annual report and pay an annual fee until all units in a development have been sold. This requirement unduly burdens homeowner-developers who permanently reside on their property and do not intend to sell their unit in the development. This measure will therefore provide relief in these specific instances from the burdensome annual filing and fee requirements.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 47, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 47, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 305 Consumer Protection & Commerce on H.B. No. 641

The purpose of this measure is to:

- (1) Specify a process for condominium associations to incorporate power of sale language into their governing documents; and
- (2) Clarify that liens may be foreclosed upon if the power of sale language is contained within an association's governing documents or within some other agreement with the owner of the unit subject to foreclosure.

Your Committee received testimony in support of this measure from the Community Associations Institute – Hawaii Legislative Action Committee, Associa, Hawaii Council for Associations of Apartment Owners, and two individuals. Your Committee received testimony in opposition to this measure from Hui Oiaio and two individuals.

Your Committee finds that Act 282, Session Laws of Hawaii 2019 (Act 282), was passed to confirm the legislative intent that condominium associations have the authority to use a nonjudicial foreclosure process to collect delinquencies regardless of the presence or absence of power of sale language in an association's governing documents. Your Committee further finds that the recent court decisions have nonetheless insisted that power of sale language must be contained within the governing documents of a condominium association before a nonjudicial foreclosure process can be used. Recent decisions by the Hawaii Supreme Court and the United States District Court of the District of Hawaii continue to cast doubt on prior legislative action and intent.

Your Committee notes that Act 282 reflected the Legislature's longstanding position that condominium law enables an association to exercise a nonjudicial foreclosure remedy. As courts have not shown a willingness to honor longstanding legislative intent, your Committee finds that this measure is necessary to clear up and confirm the intent of the Legislature regarding the right of condominium associations to conduct nonjudicial foreclosures.

Accordingly, this measure explicitly reiterates and declares that it is the intent of the Legislature for condominium associations to have the authority to use a nonjudicial foreclosure process to enforce association liens.

Your Committee has amended this measure by:

- (1) Inserting a clear purpose statement to reiterate and declare the intent of the Legislature;
- (2) Amending the definition of "power of sale" in the foreclosures laws;
- (3) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 641, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 641, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 306 Consumer Protection & Commerce on H.B. No. 1131

The purpose of this measure is to require the State Building Code Council to:

- (1) Consider the impact of building codes and standards on the cost of single-family and multi-family homes built in the State; and
- (2) Include a financial impact assessment on each code and standard adopted by the State Building Code Council in the annual written report submitted to the Governor.

Your Committee received testimony in support of this measure from the Building Industry Association of Hawaii. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Hawaii State Energy Office and Blue Planet Foundation.

Your Committee finds that the building codes and standards developed by the International Code Council increase the cost of housing construction in Hawaii, which reduces housing affordability. This measure requires the State Building Code Council to consider the financial impact that changes to construction costs will have for single-family and multi-family homes in the State before the adoption of any code or standard and report this information to the Governor, which will provide the public and the building industry with much needed information.

Your Committee has amended this measure by:

- (1) Requiring the State Building Code Council to also consider a code's or standard's impact on amortized utility costs for single-family and multi-family homes;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1131, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1131, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 307 Consumer Protection & Commerce on H.B. No. 556

The purpose of this measure is to:

- (1) Require the State Building Code Council to include one member experienced and knowledgeable in building energy efficiency standards and one member experienced and knowledgeable in sustainable building design, construction, and operation;
- (2) Direct the counties to amend or adopt their respective building codes and standards based upon the International Energy Conservation Code no later than one year after the adoption of the Hawaii State Building Energy Conservation Code; and
- (3) Specify that if the counties fail to amend or adopt the Hawaii State Building Energy Conservation Code within one year, the code will be considered the interim county building code.

Your Committee received testimony in support of this measure from Ulupono Initiative and Blue Planet Foundation. Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee finds that requiring the counties to adopt their building codes and standards in a timely manner following the State's adoption of these codes is essential to ensure the State and county building energy conservation codes align with the national code. Your Committee further finds that expanding the qualifications of the State Building Code Council to include members with experience and knowledge in building energy efficiency standards and sustainable building design, construction, and operation will serve the Council in fulfilling its duties.

Your Committee notes the concerns raised in testimony before your Committee regarding the feasibility of the counties to adopt the codes within a year. Your Committee notes that it may be a challenge for the county building departments to meet the one-year requirement, as the county building departments must amend the code in accordance with their unique circumstances; gain administration support; introduce legislation; serve as subject matter experts at public hearings; and testify before county council and committees until adoption of the code is achieved.

Your Committee has amended this measure by:

- (1) Deleting the one-year and making unspecified the time frame in which the counties must amend or adopt the Hawaii State Building Energy Conservation Code and the Hawaii State Building Codes based upon the International Energy Conservation Code; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 556, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 556, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 308 Consumer Protection & Commerce on H.B. No. 78

The purpose of this measure is to eliminate the requirement for a public utility to seek approval from the Public Utilities Commission for the underground construction of high-voltage electric transmission lines, if certain conditions are met.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Public Utilities Commission, and Hawaiian Electric Company.

Your Committee finds that this measure streamlines the regulatory process for installation of underground electric transmission lines, while still maintaining appropriate oversight of public utility operations and investments by the Public Utilities Commission. Additionally, this measure reduces the need for the Commission to review projects that would not adversely affect customers, which may result in more time and resources being utilized on other proceedings that require more attention.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 78, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 309 Consumer Protection & Commerce on H.B. No. 111

The purpose of this measure is to:

- (1) Prohibit the use of fossil fuels for electricity generation or storage after December 31, 2045; and
- (2) Prohibit the Public Utilities Commission from approving cost recovery of any application or proposal for generation or storage facilities that use fossil fuels, with certain exceptions.

Your Committee received testimony in support of this measure from Hawaii Clean Power Alliance, Our Revolution Hawaii, and two individuals. Your Committee received testimony in opposition to this measure from Hawaiian Electric Company and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Public Utilities Commission, Hawaii State Energy Office, Department of Design and Construction of the City and County of Honolulu, 350Hawaii.org, Climate Protectors Hawaii, and one individual.

Your Committee finds that this measure reinforces the intent of the State's policy goal of one hundred percent renewable energy by 2045. Eliminating fossil fuel-powered electricity generation and storage will steadily increase renewable generation while providing an electric utility with sufficient runway so as to not negatively impact its renewable portfolio standard.

Your Committee further finds that existing emergency generators for critical facilities rely on fossil fuels to generate electricity at a level of reliability needed in the case of an emergency. According to testimony received by your Committee, there are no plans to replace these generators since comparable generators operating on renewable energy sources have not evidenced the same level of reliability necessary in times of emergency.

Your Committee has amended this measure by:

- (1) Exempting emergency generators from the prohibition against fossil fuels for electricity generation or storage; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 111, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 111, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 1 (Kong). Excused, none.

SCRep. 310 Consumer Protection & Commerce on H.B. No. 116

The purpose of this measure is to:

- (1) Authorize the Chief Energy Officer of the Hawaii State Energy Office to adopt rules to enforce minimum efficiency standards for certain products and establish or amend appliance efficiency standards in certain situations; and
- (2) Regulate the appliance efficiency standards for air purifiers and portable electric spas.

Your Committee received testimony in support of this measure from the Public Utilities Commission, Public Benefits Fee Administrator, Blue Planet Foundation, Consumer Federation of America, Natural Resources Defense Council, Appliance Standards Awareness Project, and Pool & Hot Tub Alliance. Your Committee received testimony in opposition to this measure from the Association of Home Appliance Manufacturers. Your Committee received comments on this measure from the Hawaii State Energy Office and Plumbing Manufacturers International.

Your Committee finds that the State has established minimum energy and water efficiency standards for certain products sold, leased, or rented in the State that promote and encourage energy efficiency. Expanding the list of products requiring minimum efficiency standards can help save millions of dollars on utility bills annually and offer additional benefits for Hawaii residents, local businesses, the environment, and economy.

Your Committee has amended this measure by:

- (1) Removing provisions that would have regulated the appliance efficiency standards for air purifiers; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 116, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 116, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 311 Consumer Protection & Commerce on H.B. No. 1015

The purpose of this measure is to implement the water disposition process pursuant to section 171-58, Hawaii Revised Statutes, by clearly establishing that dispositions for the use of water by the Board of Land and Natural Resources are licenses for water, rather than the conveyance of any property right or interest in water via a lease.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Hawai'i Farm Bureau. Your Committee received comments on this measure from the Department of Hawaiian Home Lands, Office of Hawaiian Affairs, Kaua'i Island Utility Cooperative, Native Hawaiian Legal Corporation, Wai'oli Valley Taro Hui, Sierra Club of Hawai'i, and Earthjustice.

Your Committee finds that water is a fundamental resource requiring the most delicate management to ensure its conservation to meet social and ecological needs. While the management of such a resource will not always garner universal approval, consideration and the collaboration of differing perspectives may lead to management processes and decisions deemed satisfactory. Your Committee further finds that this measure is intended to assist and allow the Board of Land and Natural Resources to dispose of water in a more feasible, practicable, and fair manner that is consistent with the public trust doctrine. Your Committee requests that the Department of Land and Natural Resources collaborate with interested stakeholders to ensure that the disposition of water is conducted and managed in a manner that remains consistent with the public trust doctrine.

Your Committee has amended this measure by:

- (1) Specifying that the disposition of water licenses does not apply to any instream, in-watershed use of water for wetland kalo cultivation done in a traditional manner; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1015, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1015, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Har, Morikawa, Onishi). Noes, none. Excused, none.

SCRep. 312 Consumer Protection & Commerce on H.B. No. 471

The purpose of this measure is to make permanent the regulation of behavior analysts under chapter 465D, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Department of Health, Hawaii Disability Rights Center, Hawai'i Association for Behavior Analysis, Autism Speaks Volunteer Advocacy Ambassador, Together For Our Keiki, Hawaii State Teachers Association, and numerous individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that Act 199, Session Laws of Hawaii 2015 (Act 199), enacted a regulatory structure for the practice of applied behavior analysis that included a licensing process and licensing requirements for behavior analysts. There are currently over three hundred licensed behavior analysts in the State who provide services to thousands of children and adults. However, your Committee notes that the regulation of behavior analysts is scheduled to sunset on June 30, 2021.

Your Committee further finds that a December 2020 report from the Office of the Auditor found that the current licensing requirement for behavior analysts is reasonably necessary to protect the health, safety, and welfare of children and adults receiving services from a behavior analysts. Accordingly, this measure removes the sunset date of Act 199, thereby making permanent the regulation of behavior analysts.

Your Committee has amended this measure by changing the effective date to January 1, 2050, to encourage further discussion.

Your Committee notes that a June 29, 2021, effective date for this measure is necessary to prevent repeal of the regulation of behavior analysts.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 471, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 471, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 313 Consumer Protection & Commerce on H.B. No. 1322

The purpose of this measure is to establish a task force within the Department of Health to develop and make recommendations for trauma-informed care in the State.

Your Committee received testimony in support of this measure from the Department of Health, Department of Human Services, Office of Hawaiian Affairs, Executive Office on Early Learning, Hawaii Primary Care Association, Hawaii Substance Abuse Coalition, Hawai'i Pacific Health, Hawaii Youth Services Network, Hawai'i Community Foundation, Hawaii Children's Action Network Speaks!, Kamehameha Schools, Early Childhood Action Strategy, and four individuals.

Your Committee finds that adverse childhood experiences early in life can negatively impact the development of children, leading to future challenges with learning, health, and behavior. Your Committee further finds that providing children with positive relationships with stable non-relative adults can help mitigate the harmful effects of early adverse childhood experiences.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1322, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Morikawa, Onishi, Tarnas).

SCRep. 314 Consumer Protection & Commerce on H.B. No. 727

The purpose of this measure is to:

- (1) Establish an inspection fee for the inspection of public swimming pools;
- (2) Increase the annual and temporary permit fees for tattoo artists;
- (3) Increase the fees for certified copies of vital statistic records; and
- (4) Require the Department of Health to coordinate public health statistics and other public health data to implement and update a statewide public health planning and public health program development program.

Your Committee received comments on this measure from the Office of Hawaiian Affairs.

Your Committee finds that this measure requires the Department of Health to proactively coordinate and plan statewide health care and public health research, which is necessary to establish and achieve long-term strategic objectives and policies to improve the access, quality, and sustainability of public health in Hawaii.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 727, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Har, Kong). Noes, none. Excused, 3 (Morikawa, Onishi, Tarnas).

SCRep. 315 Consumer Protection & Commerce on H.B. No. 558

The purpose of this measure is to:

- (1) Create the Clean Energy and Energy Efficiency Revolving Loan Fund within the Hawaii Green Infrastructure Special Fund;
- (2) Expand the objective of the \$50,000,000 sub-fund to allow state agencies to finance their purchase options under existing energy performance contracts and power purchase agreements to further reduce and stabilize future energy costs;
- (3) Repeal the Building Energy Efficiency Revolving Loan Fund; and
- (4) Appropriate funds out of the Clean Energy and Energy Efficiency Revolving Loan Fund to make clean energy investment loans or for other approved uses.

Your Committee received testimony in support of this measure from Hawaii Green Infrastructure Authority, Hawaii State Energy Office, County of Kauai, Blue Planet Foundation, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Commerce and Consumer Affairs, and Public Utilities Commission.

Your Committee finds that a significant barrier to clean energy adoption has been the unavailability of flexible financing and low-cost capital. Building Hawaii's clean energy infrastructure at the lowest possible cost is vital to reach the State's clean energy goals by 2045. Public funds must be used in a sustainable manner to simultaneously spark customer demand for clean energy technology and attract private investment in green technology.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 558, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Morikawa, Onishi, Tarnas).

SCRep. 316 Consumer Protection & Commerce on H.B. No. 136

The purpose of this measure is to apply liquor licensing provisions related to the transfer of licenses and the denial of licenses to limited liability companies.

Your Committee received testimony in support of this measure from the Liquor Commission of the City and County of Honolulu and two individuals.

Your Committee finds that there are inconsistencies regarding limited liability companies and the transfer of liquor licenses under existing law. This measure would remove inconsistencies regarding changes in the principals of the entity holding the liquor license and allow publicly traded limited liability companies to be treated the same as a publicly traded corporation.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 136, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 136, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Morikawa, Onishi, Tarnas).

SCRep. 317 Labor & Tourism on H.B. No. 325

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary and other cost adjustments, for the members of collective bargaining unit (1) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee has amended this measure by changing the effective date to December 25, 2040, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 325, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 325, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 318 Labor & Tourism on H.B. No. 712

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary adjustments and Hawaii employer-union health benefits trust fund costs, for the members of collective bargaining unit (2) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee has amended this measure by changing the effective date to December 25, 2040, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 712, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 712, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 319 Labor & Tourism on H.B. No. 713

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary adjustments and Hawaii employer-union health benefits trust fund costs, for the members of collective bargaining unit (3) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee has amended this measure by changing the effective date to December 25, 2040, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 713, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 713, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 320 Labor & Tourism on H.B. No. 714

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary adjustments and Hawaii employer-union health benefits trust fund costs, for the members of collective bargaining unit (4) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee has amended this measure by changing the effective date to December 25, 2040, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 714, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 714, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 321 Labor & Tourism on H.B. No. 919

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary and other cost adjustments, for the members of collective bargaining unit (5) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Hawaii State Teachers Association.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 25, 2040, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 919, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 919, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 322 Labor & Tourism on H.B. No. 715

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary adjustments and Hawaii employer-union health benefits trust fund costs, for the members of collective bargaining unit (6) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee has amended this measure by changing the effective date to December 25, 2040, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 715, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 715, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 323 Labor & Tourism on H.B. No. 921

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary and other cost adjustments, for the members of collective bargaining unit (7) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance, University of Hawai'i System, and University of Hawaii Professional Assembly.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 25, 2040, to encourage further discussion; and
- (2) 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 921, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 921, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 324 Labor & Tourism on H.B. No. 716

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary adjustments and Hawaii employer-union health benefits trust fund costs, for the members of collective bargaining unit (8) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee has amended this measure by changing the effective date to December 25, 2040, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 716, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 716, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 325 Labor & Tourism on H.B. No. 1125

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary adjustments and Hawaii employer-union health benefits trust fund costs, for the members of collective bargaining unit (9) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 25, 2040, to encourage further discussion; and
- (2) 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1125, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1125, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 326 Labor & Tourism on H.B. No. 326

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

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 25, 2040, to encourage further discussion; and
- (2) 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 326, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 326, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 327 Labor & Tourism on H.B. No. 925

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary and other cost adjustments, for the members of collective bargaining unit (11) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Hawaii Fire Fighters Association.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 25, 2040, to encourage further discussion; and
- (2) 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 925, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 925, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 328 Labor & Tourism on H.B. No. 1126

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary adjustments and Hawaii employer-union health benefits trust fund costs, for the members of collective bargaining unit (13) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 25, 2040, to encourage further discussion; and
- (2) 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1126, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1126, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 329 Labor & Tourism on H.B. No. 1127

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary adjustments and Hawaii employer-union health benefits trust fund costs, for the members of collective bargaining unit (14) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee has amended this measure by changing the effective date to December 25, 2040, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1127, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1127, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 330 Labor & Tourism on H.B. No. 928

The purpose of this measure is to amend the definitions of "base pay" and "compensation" for the purpose of calculating retirement benefits.

Your Committee received testimony in support of this measure from the Employees' Retirement System. Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and Hawaii State Teachers Association. Your Committee received comments on this measure from the Department of Budget and Fiscal Services of the City and County of Honolulu, Department of Human Resources of the City and County of Honolulu, and Department of Information Technology of the City and County of Honolulu.

Your Committee finds that this measure will help bring clarity to what is properly included in base pay and compensation for the purpose of calculating retirement benefits. According to the Employees' Retirement System, there is a significant disparity in what is included in base pay among the eight employers reporting to the system, which results in disparate treatment among the members. In order for the Employees' Retirement System to maintain its tax-exempt status, benefits must be provided in a non-discriminatory manner and be "definitely determinable".

With respect to concerns over the deletion of "shortage differentials" from the definition of "compensation", your Committee further finds that the Employees' Retirement System has requested that if a shortage differential is permanent, that the permanent differential be noted on the employee's personnel action report or certification, which then would be recognized and credited.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 25, 2040, to encourage further discussion; and
- (2) 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 928, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 928, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Quinlan). Noes, none. Excused, 1 (Belatti).

SCRep. 331 Labor & Tourism on H.B. No. 930

The purpose of this measure is to exempt certain specific types of alternative investment fund information from disclosure under Chapter 92F, Hawaii Revised Statutes, because the disclosure of this information would put the Employees' Retirement System at a competitive disadvantage and frustrate its legitimate government investment functions.

Your Committee received testimony in support of this measure from the Employees' Retirement System. Your Committee received testimony in opposition to this measure from the Civil Beat Law Center for the Public Interest. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that this measure provides a limited exemption from disclosure of specific types of investment fund information under the Uniform Information Practices Act to enable the Employees' Retirement System to maintain the confidentiality of information relating to alternative investments, such as investments in private equity, private credit, and private real estate funds, consistent with competitive investment market best practices. Your Committee further finds this exemption to be reasonably limited and specific, consistent with the Office of Information Practices' testimony that the records would likely fall under the Uniform Information Practices Act's frustration exception to disclosure and would, therefore, not restrict public access to a type of record that has historically been public under the Uniform Information Practices Act.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 25, 2040, to encourage further discussion; and
- (2) 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 930, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 930, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Okimoto). Noes, 1 (D. Kobayashi). Excused, 1 (Belatti).

SCRep. 332 Water & Land on H.B. No. 1149

The purpose of this measure is to integrate the Land Use Commission within a modified Office of Planning, to be renamed the Office of Planning and Sustainable Development.

Your Committee received testimony in support of this measure from the Land Use Commission and one individual. Your Committee received comments on this measure from the Office of Planning.

Your Committee notes that a separate measure, H.B. No. 1318, Regular Session of 2021, will integrate the Office of Environmental Quality Control within the Office of Planning and Sustainable Development. These two measures will improve the coordination of these related functions so state government can work more efficiently to achieve the State's long-term sustainability and climate change goals for a more abundant future for the people of Hawaii.

Your Committee has amended this measure by:

- (1) Clarifying that the Office of Planning and Sustainable Development will act as the lead agency in coordinating climate adaptation and sustainability plans and studies;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1149, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1149, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Ohno, McDermott).

SCRep. 333 Water & Land on H.B. No. 497

The purpose of this measure is to prohibit the counties from requiring, as part of a county zoning ordinance or county rule, a developer with more than one residential unit to obtain the approval of any state agency unless that approval is expressly required by law.

Your Committee received testimony in support of this measure from Hawaii Construction Alliance; HPM Building Supply; Building Industry Association of Hawaii; Dowling Company, Inc.; Goodfellow Bros.; Hawaii Community Foundation, and four individuals. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs and one individual. Your Committee received comments on this measure from the Office of Planning.

Your Committee finds that streamlining the permitting and regulatory process between the counties and various state agencies would decrease the time to secure permits, reduce carrying costs, lower the cost of housing, and create more job and housing opportunities in the State. Your Committee notes that this measure does not prevent the counties from consulting with the Office of Hawaiian Affairs, rather it just does not require consultation with the Office.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 497, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 497, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Ohno, McDermott).

SCRep. 334 Water & Land on H.B. No. 554

The purpose of this measure is to require sellers to include in the mandatory disclosure statements to buyers, information about the residential real property lying within the sea level rise exposure area as designated by the Hawaii Climate Change Mitigation and Adaptation Commission or its successor.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Climate Change Mitigation and Adaptation Commission, Sierra Club of Hawai'i, Imua Alliance, Hawai'i Reef Ocean Coalition, and one individual. Your Committee received comments on this measure from the Hawai'i Association of REALTORS.

Your Committee finds that the matter of sea level rise is at the forefront of the impacts of climate change on properties and the environment. Your Committee finds that including the disclosure of sea level rise exposure information in sellers mandatory disclosure statements will make it part of the seller's legal obligation to reveal to the buyer any known defects about the home or property that is being purchased.

Your Committee has amended this measure by:

- (1) Changing the effective date to May 1, 2022; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that an effective date of May 1, 2022, for this measure will coincide with the Hawai'i Association of REALTORS release date of its Standard Forms, including the Seller's Real Property Disclosure Statement and Oceanfront Property Addendum.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 554, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 554, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 335 Water & Land on H.B. No. 46

The purpose of this measure is to require all habitat conservation plans to include an agreement for plan participants to enter into and maintain an annual service contract with a stand-by and response facility available to provide emergency medical and rehabilitation services to native wildlife affected by activities undertaken within the plan area.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, one member from the Hawaii County Council, and three individuals.

Your Committee finds that providing emergency medical and rehabilitative services to native wildlife that have been affected by activities within a conservation plan area is critical to protecting the State's native and endangered wildlife.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 46 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 336 Water & Land on H.B. No. 1017

The purpose of this measure is to repeal statutory language prohibiting the taking, killing, and possession of female spiny lobsters, Kona crabs, and Samoan crabs to instead allow the Department of Land and Natural Resources to regulate the taking, killing, and possession of these animals through administrative rules.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Goes Fishing; HFACT; Cates Marine Service, LLC; and eight individuals.

Your Committee finds that existing state laws hamper the Department of Land and Natural Resources' ability to manage the populations of spiny lobsters, Kona crabs, and Samoan crabs based on the best available scientific information. Your Committee further finds that the Department of Land and Natural Resources has recently incorporated the relevant portions of state law into the Department's administrative rules, thus rendering the state statute unnecessary. Resource management of these crustaceans solely through the administrative rule making process will allow the Department to manage such populations with much more flexibility and adaptability.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1017 and recommends that it pass Second Reading and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 337 Water & Land/Housing on H.B. No. 58

The purpose of this measure is to help the State address its current budgetary shortfall, caused by the COVID-19 pandemic, by:

- (1) Temporarily reallocating conveyance tax revenues to pay the principal and interest of general obligation bonds; and
- (2) Authorizing the issuance of general obligation bonds to be appropriated into and out of the Land Conservation Fund and Rental Housing Revolving Fund.

Your Committees received testimony in support of this measure from the Hawaii Housing and Finance Development Corporation. Your Committees received comments on this measure from the Department of Budget and Finance, Department of Land and Natural Resources, and Tax Foundation of Hawaii.

Your Committees find that this measure is a necessary tool to help the State address its temporary fiscal difficulties while continuing to meet the needs of Hawaii's people.

Your Committees note the suggestions by the Department of Land and Natural Resources, and asks your Committee on Finance to consider the Department's amendments should it hear this measure.

Your Committees have amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Water & Land and Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 58, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 58, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Water & Land: Ayes, 7. Noes, none. Excused, 1 (McDermott).

Housing: Ayes, 5. Noes, none. Excused, 3 (Aquino, DeCoite, McDermott).

SCRep. 338 Agriculture on H.B. No. 156

The purpose of this measure is to repeal the requirement that the County of Kauai contract solely with the Kauai Humane Society.

Your Committee received testimony in support of this measure from one member of the Kauai County Council and Animal Rights Hawai'i.

Your Committee finds that repealing the statutory requirement for the County of Kauai to contract solely with the Kauai Humane Society will enable the County of Kauai to contract with other service providers, like all other counties in the State.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 156 and recommends that it pass Second Reading and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 339 Agriculture on H.B. No. 247

The purpose of this measure is to implement several recommendations with regard to land subdivision and condominium property regime laws relating to agricultural lands made by the Office of Planning as a result of a study conducted pursuant to Act 278, Session Laws of Hawaii 2019 (Act 278).

Your Committee received testimony in support of this measure from the Department of Agriculture; Office of Planning; Real Estate Commission; City and County of Honolulu Department of Planning and Permitting; one member of the Maui County Council; Ulupono Initiative; Hawaii Farm Bureau; Hawaiian Properties, Ltd; and Hawaii Cattlemen's Council. Your Committee received comments on this measure from the Department of Taxation.

Your Committee finds that Act 278 directed the Office of Planning to study subdivision and condominium property regime issues on agricultural lands. This measure is the result of a collaboration with a broad group of stakeholders and addresses three major issues and recommendations of the study: strengthening the definition of "farm dwelling" to recognize only bona fide farms; allowing county enforcement of unpermitted structures; and allowing counties to submit comments before the registration of a condominium property regime.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 247 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 340 Economic Development on H.B. No. 1047

The purpose of this measure is to:

- (1) Require that general excise tax licenses be renewed biennially; and
- (2) Authorize the Department of Taxation to charge a fee for biennial renewals and require biennial renewals to be applied for electronically.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that many taxpayers who no longer need a general excise tax license fail to cancel their business licenses, which leads to the Department of Taxation's records being filled with defunct licenses. This measure ensures more accurate and relevant records are kept and increases taxpayer compliance.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1047, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1047, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 341 Health, Human Services, & Homelessness on H.B. No. 210

The purpose of this measure is to authorize the use of the Reduced Ignition Propensity Cigarette Program Special Fund to support the duties and responsibilities of the State Fire Council beyond funding the administration and enforcement of the Reduced Ignition Propensity Cigarette Program.

Your Committee received testimony in support of this measure from the State Fire Council and Honolulu Fire Department.

Your Committee finds that the State Fire Council is responsible for the development and maintenance of a comprehensive statewide fire service management network, reviewing and adopting the State Fire Code, administratively overseeing the Reduced Ignition Propensity Cigarette Program, assisting in the application and administration of federal grants for the fire service, assisting and coordinating with the statewide delivery of fire training programs, coordinating the collection of fire data, and supporting contingency planning needs for fire fighters. Your Committee further finds that the State Fire Council has inadequate funding and staffing to fulfill its duties. This measure will enable the State Fire Council to use existing revenue to properly support the educational programs and training for a comprehensive fire service emergency management network for the protection of life, property, and the environment for the State.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 210, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 210, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 342 Health, Human Services, & Homelessness on H.B. No. 381

The purpose of this measure is to:

- (1) Codify the administrative definition of "assistance animal" for the purposes of real estate transactions;
- (2) Clarify the type of verification an individual may provide to establish the need for an assistance animal; and
- (3) Specify that the possession of a vest or other distinguishing animal garment, tag, or registration document commonly purchased online and purporting to identify an animal as a service animal or assistance animal does not constitute a valid verification of a disability-related need for an assistance animal.

Your Committee received testimony in support of this measure from the Hawaii Civil Rights Commission, Hawaii Disability Rights Center, and Hawaii Association of REALTORS. Your Committee received comments on this measure from the Disability and Communication Access Board; Community Associations Institute, Legislative Action Committee; Associa; Hawaiian Properties, Ltd.; and one individual.

Your Committee believes that codifying the definition of "assistance animal" and providing additional guidance on the types of verification a housing provider may ask for, including explicitly disallowing commonly purchased vests, tags, or other distinguishing animal garments purporting to identify an animal as a service or assistance animal, will assist individuals requiring assistance animals and housing providers to make reasonable accommodations for assistance animals.

Your Committee has amended this measure by changing the effective date to July 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 381, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 381, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 343 Health, Human Services, & Homelessness on H.B. No. 706

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist Wahiawa General Hospital with its long-term debt restructuring.

Your Committee received testimony in support of this measure from Wahiawa General Hospital and International Longshore & Warehouse Union, Local 142. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee notes that for over the past fifteen years, Wahiawa General Hospital has experienced severe financial difficulties, due to the impacts of several factors, including the reopening of Queen's Medical Center West Oahu in Ewa, Oahu; reductions in Medicare, Medicaid, and private insurance requirements under the federal Patient Protection and Affordable Care Act; the ongoing shortage of physicians in the State; uncertainty in the availability of federal and state funding caused by instability in federal health care policy; and an increasing need for the provision of indigent care that includes the homeless population. In addition, the COVID-19 pandemic has exacerbated Wahiawa General Hospital's fiscal challenges.

Your Committee recognizes that Wahiawa General Hospital is critical to providing a continuum of health care services in the State. It is a 53-bed acute care facility and 107-bed long-term care facility. This measure will enable Wahiawa General Hospital to restructure its long-term debt and position itself to continue its mission of serving the health care needs of Central Oahu, North Shore, and other communities.

Your Committee has amended this measure by:

- (1) Amending the purpose section;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 706, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 706, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 344 Health, Human Services, & Homelessness on H.B. No. 728

The purpose of this measure is to provide flexibility in the administering of the Statewide Language Access Resource Center.

Your Committee received testimony in support of this measure from the Department of Health, Language Access Advisory Council, Hawaii Friends of Civil Rights, Hawaii Coalition for Immigrant Rights, and two individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Human Services and Office of Language Access.

Your Committee finds that the disparate impact of the COVID-19 pandemic on Pacific Islander communities highlights the necessity of the Office of Language Access and its role providing communication and assistance to state agencies to translate vital health information and communication. Your Committee further finds that allowing the Office of Language Access to have flexibility over the services provided and accept additional sources of funding is in the best interest of the public.

Your Committee has amended this measure by changing the effective date to July 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 728, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 728, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 345 Health, Human Services, & Homelessness on H.B. No. 1297

The purpose of this measure is to:

- (1) Make all special funds subject to the five percent deduction into the general fund for central service expenses;
- (2) Repeal the Community Health Centers Special Fund and Emergency Medical Services Special Fund;
- (3) Transfer to the general fund any amounts allocated to the Community Health Centers Special Fund and Emergency Medical Services Special Fund, including amounts from the cigarette tax and tobacco tax;
- (4) Transfer to the credit of the general fund certain surcharges allocated to the Trauma System Special Fund and any amounts allocated to the Trauma System Special Fund from the cigarette tax and tobacco tax; and
- (5) Make a general fund appropriation to the Department of Health for operating expenses.

Your Committee received testimony in opposition to this measure from the Department of Transportation, Department of Land and Natural Resources, Department of Human Services, University of Hawaii System, Hawaii Tourism Authority, Employees' Retirement System Board of Trustees, Hawaii Emergency Management Agency, Hawaii Health Systems Corporation, Reynolds Recycling, Kula Hospital, Lanai Community Hospital, Hana Health, Ho'ola Lahui Hawaii, Kokua Kalihi Valley, Hawaii Primary Care Association, Lanai Community Health Center, Waianae Coast Comprehensive Health Center, Healthcare Association of Hawaii, American Cancer Society Cancer Action Network, Queen's Health Systems, Hawaii Pacific Health, and three individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of the Attorney General, Department of Education, Department of Taxation, Department of Budget and Finance, and Department of Health.

Your Committee finds that requiring most special funds to be subject to the five percent deduction into the general fund for central services expenses; abolishing the Community Health Centers Special Fund and Emergency Medical Services Special Fund; and transferring certain allocations and surcharges from the Community Health Centers Special Fund, Emergency Medical Services Special Fund, and Trauma System Special Fund will meaningfully assist the State in carrying out its core functions and assist in the State's recovery from the economic harm caused by the COVID-19 pandemic.

Your Committee has amended this measure by:

- (1) Restoring the exemption from the five percent deduction into the general fund for central services expenses for the:
 - (A) Center for Nursing Special Fund;
 - (B) Passenger Facility Charge Special Fund;
 - (C) Hospital Sustainability Program Special Fund; and
 - (D) Nursing Facility Sustainability Program Special Fund; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1297, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1297, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Har, Kapela). Noes, none. Excused, 1 (LoPresti).

SCRep. 346 Education on H.B. No. 11

The purpose of this measure is to advance equality in Hawaii's public education system by requiring:

- (1) The Board of Education to adopt performance standards that are culturally relevant, historically and scientifically accurate, and nondiscriminatory;
- (2) A standards-based curriculum and related educational materials that are historically and scientifically accurate and nondiscriminatory with regard to race, ethnicity, sex, gender identity or expression, sexual orientation, color, religion, ancestry, or disability; and
- (3) School complexes to develop, to the greatest extent possible, a standards-based curriculum that includes content on the injustice endured by the indigenous people of Hawaii and other historically underrepresented populations.

Your Committee received testimony in support of this measure from Together For Our Keiki and six individuals. Your Committee received testimony in support of the intent of this measure from the Department of Education.

Your Committee finds that to advance the fundamental democratic principles of equality, liberty, and justice for all, a quality school system must deliver instruction that is historically and scientifically accurate and free from discrimination. Your Committee believes that this measure will prepare students to participate in the advancement of a more equal society through the development and adoption of educational content that is culturally relevant, nondiscriminatory, and inclusive of the historical injustices endured by marginalized populations.

Your Committee has amended this measure by:

- (1) Clarifying that school complexes shall develop, to the greatest extent possible, a standards-based curriculum that includes content on the historical injustice, cultural subjugation, and discrimination faced by the indigenous people of Hawaii and other historically underrepresented populations as applicable to units of study;
- (2) Changing its effective date to July 1, 2050; 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 is in accord with the intent and purpose of H.B. No. 11, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 11, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, 1 (Okimoto). Excused, 2 (Ohno, Quinlan).

SCRep. 347 Education on H.B. No. 608

The purpose of this measure is to:

- (1) Require the Board of Education to hold no less than six community forums annually, rather than committee meetings, with at least one community forum to be held in each county; and
- (2) Require the Board to include an open forum for public comment on non-agenda items at the end of each public Board meeting and report to the 2022 Legislature on the implementation of the open forums.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in support of the intent of this measure from the League of Women Voters. Your Committee received comments on this measure from the Office of Information Practices, Board of Education, and Civil Beat Law Center for the Public Interest.

Your Committee finds that community meetings held by the Board of Education improve the public's access to the Board and allow the public to provide the Board with more information to help with decision-making and priority setting. Greater access to the Board of Education from communities in each county across the State through community forums will allow the Board to hear from more community stakeholders and receive more information before making decisions at a later date.

Your Committee has amended this measure by:

- (1) Removing language which would have allowed only less than a quorum of Board of Education members to attend a community forum;
- (2) Requiring the Board to give written public notice that indicates the date, time, and place, of each community forum and meets the posting and filing requirements pursuant to section 92-7, Hawaii Revised Statutes, which provides public meeting notice requirements for certain state entities;
- (3) Requiring the community forums to be open to the public for all persons to attend and allow for all interested persons to share data, views, or arguments, on any public education or public library issue; and
- (4) Changing its effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 608, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 608, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Ohno, Quinlan).

SCRep. 348 Education on H.B. No. 619

The purpose of this measure is to:

- (1) Require public school students to complete a course in ethnic studies, beginning with public school students graduating at the end of the 2029-2030 school year; and
- (2) Require the Superintendent of Education to develop, adopt, modify, or revise a model curriculum in ethnic studies, circulate the curriculum for public comment, and obtain approval of the curriculum from the Board of Education.

Your Committee received testimony in support of this measure from three individuals. Your Committee received testimony in support of the intent of this measure from the Department of Education.

Your Committee finds that education is a powerful tool that can empower communities to remedy societal ills, such as racism, gender inequity, and discrimination, and can contribute to the development of civically- and critically-minded citizens. Your Committee further finds that ethnic studies promotes

perspective-based learning and critical reading skills, which have the power to increase student involvement, reading comprehension, and standardized test scores and to decrease dropout rates. This measure will integrate ethnic studies into the public school education curriculum and prepare students to engage in the advancement of a more equal society.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050; and
- (2) 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 is in accord with the intent and purpose of H.B. No. 619, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 619, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, 1 (Okimoto). Excused, 2 (Ohno, Quinlan).

SCRep. 349 Education on H.B. No. 1392

The purpose of this measure is to create an exemption for unpaid interns enrolled in a Department of Education program from the wages and hours requirements of employees on public works projects.

Your Committee received testimony support of this measure from the Department of Education and one individual. Your Committee received testimony in support of the intent of this measure from the Hawaii Construction Alliance, Pacific Resource Partnership, Hawaii Carpenters Apprenticeship & Training Trust Fund, General Contractors Association of Hawaii, YouthBuild Waimanalo, and Hawaii Laborers' Union Local 368. Your Committee received testimony in opposition to this measure from the Department of Labor and Industrial Relations.

Your Committee finds that work-based learning opportunities such as internships are an essential component to a high-quality Career and Technical Education program of study. The exemption for unpaid interns enrolled in a Department of Education Program from the wages and hours requirements of employees on public works projects as provided by this measure will increase access to student internships that provide invaluable real world work experience.

Your Committee has amended this measure by:

- (1) Applying the exemption from the wages and hours requirements of employees on public works projects to any intern enrolled in a Department of Education program, regardless of whether they are unpaid; and
- (2) Changing its effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1392, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1392, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Ohno, Quinlan).

SCRep. 350 Pandemic & Disaster Preparedness on H.B. No. 534

The purpose of this measure is to:

- (1) Establish the circumstances when a person using deadly force has no duty to retreat and has the right to stand their ground; and
- (2) Repeal statutory language that permits a person to use deadly force at a person's place of work in some circumstances.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from the Community Alliance on Prisons, Common Cause Hawaii, Hawaii Firearms Coalition, Honolulu County Republican Party, National Rifle Association, and numerous individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that residents have been diligently staying at home in order to reduce the amount of coronavirus cases in the State. However, as a result, the State's economy is suffering, leading to an increase in economic hardships for residents. Your Committee further finds that there is a correlation between the worsening economy and an increase in crime in the State, especially violent crimes. Your Committee believes that residents should be allowed to defend themselves and their families.

Your Committee notes the numerous testifiers requesting for the adoption of House Bill No. 711, Regular Session of 2021, another measure relating to the use of force for self-defense, that better addresses the concern of a person being able to use force to defend themselves, their families, or their property. Your Committee concludes that the language in House Bill No. 711, Regular Session of 2021, is preferable because it provides more opportunities for self-defense.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of House Bill No. 711, Regular Session of 2021, which:
 - (A) Authorizes the use of deadly force if it is necessary to defend oneself, one's legally occupied dwelling or motor vehicle, or another person, under certain circumstances;
 - (B) Clarifies when there is no duty for a victim to retreat;
 - (C) Repeals existing language regarding unjustifiable use of force and specifies that the use of force is not justifiable when resisting a law enforcement officer or when a private person is assisting a law enforcement officer; and
 - (D) Provides immunity from criminal prosecution and civil action for the use of force when used in certain situations; and
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 534, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 534, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Woodson). Noes, 2 (McKelvey, Wildberger). Excused, none.

SCRep. 351 Pandemic & Disaster Preparedness on H.B. No. 934

The purpose of this measure is to appropriate funds for COVID-19 response programs and activities.

Your Committee received testimony in support of this measure from the Department of Health, Department of Human Services, Department of Defense, Department of Budget and Finance, Hawaii Health Systems Corporation, and Hawaii Primary Care Association.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic has devastated the world and crippled the State's economy. Congress passed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) on March 27, 2020, to help the State address the extensive health and economic fallout of the COVID-19 pandemic. However, funds provided by the CARES Act are set to expire soon, leaving essential COVID-19 response programs potentially unfunded. This measure will ensure COVID-19 response related programs maintain their funding so that the State may continue offering essential services to its residents.

Your Committee has amended this measure by:

- (1) Inserting blank appropriation amounts;
- (2) Requiring that should any project or program paid for by State funds become eligible for federal reimbursement, those federal funds shall be deposited into the general fund;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 934, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 934, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 352 Pandemic & Disaster Preparedness on H.B. No. 955

The purpose of this measure is to establish a framework for disaster recovery in the State.

Your Committee received testimony in support of this measure from the State Disaster Recovery Coordinator of the Office of the Governor, Department of Defense, Office of Planning, Hawaii Emergency Management Agency, Hawaii State Energy Office, and two individuals.

Your Committee finds that efficient and effective disaster recovery efforts require the coordination of numerous public and private entities. Your Committee believes that the State is in need of a single leading authority to facilitate the identification, coordination, and delivery of recovery assistance during and after a disaster. This measure will help to enhance the coordination of all affected stakeholders, mitigate the impacts of disasters, and improve disaster recovery efforts by establishing a disaster recovery program and framework for the State.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 955, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 955, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 353 Pandemic & Disaster Preparedness on H.B. No. 962

The purpose of this measure is to make an emergency appropriation to the Department of Defense for COVID-19 related expenditures.

Your Committee received testimony in support of this measure from the Department of Defense, Hawaii Emergency Management Agency, and Hawaii Primary Care Association.

Your Committee finds that the Department of Defense plays a critical role in coronavirus disease 2019 (COVID-19) response efforts. The Department of Defense has worked with federal and state agencies to ensure the safety of the residents and visitors of Hawaii. This measure safeguards the continuation of necessary COVID-19 related response programs for the Department of Defense to ensure the health and welfare of Hawaii's residents and visitors.

Your Committee has amended this measure by:

- (1) Inserting blank appropriation amounts;
- (2) Requiring that should any project or program paid for by State funds become eligible for federal reimbursement, those federal funds shall be deposited into the general fund;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 962, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 962, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 354 Pandemic & Disaster Preparedness on H.B. No. 963

The purpose of this measure is to make an emergency appropriation for the Office of the Governor to continue funding for various COVID-19 response related programs and activities.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Hawaii Primary Care Association. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the United States Congress passed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) on March 27, 2020, to provide economic relief to citizens and states. While the CARES Act provided funding for highly essential programs and services, your Committee believes additional funding may be needed. This measure will provide continuation of the funding necessary for COVID-19 related response programs to ensure the health and welfare of residents and visitors of the State.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount;
- (2) Requiring that should any project or program paid for by State funds become eligible for federal reimbursement, those federal funds shall be deposited into the general fund;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 963, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 963, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 355 Energy & Environmental Protection on H.B. No. 803

The purpose of this measure is to:

- (1) Authorize each county to adopt ordinances to enforce state laws relating to the designation of parking spaces for electric vehicles, including the establishment of penalties;
- (2) Require that new electric vehicle charging systems installed pursuant to the electric vehicle charging system requirements be at least Level 2 and internet-capable; and
- (3) Clarify that certain enforcement officers may enter private property to enforce electric vehicle parking space violations.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i; Mission Zero Hawaii; Hawaii EV Association; Big Island EV Association; Climate Protectors Hawaii; Ulupono Initiative; Deluxe Hawaiian Vacations; KauaiEV; Hawaiian Electric Company, Inc.; 350Hawaii; Blue Planet Foundation; Tesla, Inc.; and numerous individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii. Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee finds that zero-emission vehicles, such as electric vehicles, play an integral role in Hawaii's clean energy future. Electric vehicles are much less expensive to power per mile than their gasoline counterparts. With the continued growth of electric vehicle adoption by consumers, this measure ensures that there is the necessary infrastructure to support electric vehicle use.

Your Committee has amended this measure by:

- (1) Increasing the required number of parking spots for electric vehicles for places of public accommodation with at least one hundred parking spaces from one to five;
- (2) Specifying that, beginning January 1, 2022, each new electric vehicle charging system installed or placed in service for a place of public accommodation with at least one hundred parking spaces be at least a level 2 charging station that is network-capable;
- (3) Requiring that electric vehicle charging systems be maintained in working order;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 803, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 803, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 356 Energy & Environmental Protection on H.B. No. 1318

The purpose of this measure is to:

- (1) Restructure the Statewide Sustainability Branch as the Sustainability and Environmental Review Division;
- (2) Transfer the Environmental Council from the Department of Health to be established in the Office of Planning as the Environmental Advisory Council;
- (3) Amend the ability for an applicant to appeal nonacceptance of an environmental impact statement from the Environmental Council to the Environmental Advisory Council; and
- (4) Transfer the rights, powers, employees, appropriations, and other personal property from the Office of Environmental Quality Control to the Sustainability and Environmental Review Division.

Your Committee received testimony in support of this measure from the Office of Environmental Quality Control and two individuals. Your Committee received comments on this measure from the Land Use Commission, Office of Planning, and one individual.

Your Committee finds that achieving an abundant and sustainable future for Hawaii will require re-envisioning the State's institutional framework to better integrate sustainability principles into the organizational structure of state government, especially in planning, land use, environmental, and economic development programs. This measure will enhance state government agencies' ability to implement climate change adaptation measures to increase clean energy production and address sea level rise.

Your Committee has amended this measure by:

- (1) Inserting findings relating to the importance of improved collaboration of state agencies for achieving the State's sustainability goals;
- (2) Establishing the Environmental Advisory Council, including its functions, under chapter 341, Hawaii Revised Statutes, rather than chapter 225M, Hawaii Revised Statutes;
- (3) Inserting language that codifies the role and responsibilities of the Office of Planning relating to environmental reviews and environmental quality control;
- (4) Amending the composition of the Greenhouse Gas Sequestration Task Force by substituting the State Sustainability Coordinator for the Director of the Office of Planning;
- (5) Deleting provisions that would have added the Director of the Sustainability and Environmental Review Division to the Statewide Transportation Council;
- (6) Repealing provisions relating to the Office of Environmental Quality Control and Environmental Center;
- (7) Specifying that the rights, powers, employees, functions, duties, appropriations, and other personal property of the Office of Environmental Quality Control shall be transferred to the Office of Planning, instead of the Sustainability and Environmental Review Division;
- (8) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (9) 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1318, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1318, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 357 Energy & Environmental Protection on H.B. No. 842

The purpose of this measure is to establish and appropriate funds for the Environmental Impact Statement Hub as a hearing and notification website within the Office of Environmental Quality Control to notify the public of current and upcoming environmental impact statement hearings, public comment periods, and allowing comments to be submitted online.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Office of Environmental Quality Control and State Environmental Council.

Your Committee finds that transparency is important to the public, especially regarding the approval and permitting processes for construction and other projects that may impact the environment. Although the Office of Environmental Quality Control currently has a website that provides information to the public, the information provided on the site is difficult to locate. Therefore, it is necessary to encourage public participation by ensuring that the Office of Environmental Quality Control's website is more user-friendly for the public.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. No. 2624, H.D. 1 (Regular Session of 2020), a similar measure that requires and appropriates funds for the Office of Environmental Quality Control to establish, implement, and maintain an interactive website available to the public at no cost that provides certain information and notifications regarding environmental assessment and environmental impact statement actions; and
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 842, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 842, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 358 Energy & Environmental Protection on H.B. No. 1025

The purpose of this measure is to allocate a portion of the Conveyance Tax to the Division of Conservation and Resources Enforcement of the Department of Land and Natural Resources to partially cover operational costs related to upholding the laws that serve to protect, conserve, and manage Hawaii's unique and limited natural, cultural, and historic resources.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, For the Fishes, and three individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS.

Your Committee finds that while tourism is the primary economic driver for the State, it is Hawaii's natural beauty and resources that attract visitors. This measure ensures that adequate funding is provided to preserve and protect Hawaii's natural resources for the current and future residents of the State and its economy.

Your Committee has amended this measure by:

- (1) Making a conforming amendment to allow Conveyance Tax revenues to be deposited into the Conservation and Resources Enforcement Special Fund;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1025, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1025, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 359 Energy & Environmental Protection on H.B. No. 684

The purpose of this measure is to establish an income tax credit for the conversion of gasoline-powered buses to hydrogen-powered buses or the purchase of new hydrogen-powered buses.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Taxation, Hawaii State Energy Office, and Tax Foundation of Hawaii.

Your Committee finds that it is critical for the State to find ways to reduce its reliance on imported fossil fuels. This measure highlights the importance of hydrogen as a key element in the design and equipping of alternative fuel transportation vehicles in the State.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 684, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 684, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 360 Consumer Protection & Commerce on H.B. No. 1092

The purpose of this measure is to establish procedures for the Department of Transportation, in consultation with the Office of Planning, to assist and enable persons arriving or departing the State by air to voluntarily purchase verifiable carbon offsets to compensate for carbon dioxide emissions from air travel.

Your Committee received testimony in support of this measure from Blue Planet Foundation and one individual. Your Committee received testimony in opposition to this measure from 350Hawaii.org. Your Committee received comments on this measure from the Department of Transportation and Office of Planning.

Your Committee finds that there are many contributors to climate change, and transportation-generated greenhouse gas emissions are a significant contributor. Establishing a carbon offsetting and reduction scheme will help the State achieve its zero-emission clean economy target, while appealing to air travelers who are aware of the climate change implications of their travel.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1092, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 361 Consumer Protection & Commerce on H.B. No. 766

The purpose of this measure is to authorize the Department of Transportation to assess, impose, levy, and collect impact fees for capital costs relating to the development of state highway improvements when the Department determines that a privately owned roadway that connects to a state highway that is commonly used by the public is a substantial danger to the public health and safety.

Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that the State's roadways are critical infrastructure that require proper maintenance to ensure the quality of life for the people of Hawaii. Unmaintained roadways can cause severe damage not only to vehicles, but to the driver, passengers, and anyone in the surrounding environment. Your Committee further finds that there are certain parts of privately owned roads that connect to State-owned highways that are unsafe and frequently used by the public and the assessment of impact fees often provides a rational nexus between those being assessed the fee and the regional benefactors of such fees. This measure will help the State maintain roadways, thereby improving the quality of life for residents and visitors of Hawaii.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 766, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Morikawa, Onishi, Tarnas).

SCRep. 362 Consumer Protection & Commerce on H.B. No. 160

The purpose of this measure is to subject U-drive motor vehicles to the same motor vehicle registration fees as other motor vehicles.

Your Committee received testimony in support of this measure from the Kauai Police Department, Department of Finance of the County of Kaua'i, and Hawaii State Association of Counties.

Your Committee finds that under existing law the registration fee for U-drive motor vehicles, or rental motor vehicles, is less than all other motor vehicles. Your Committee believes the existing registration fee for rental motor vehicles does not equally reflect the actual amount rental motor vehicles use the State's roadways. Your Committee further finds that implementation of the highway beautification fee on an equal basis will help provide much needed funding to help defray costs associated with disposing of abandoned vehicles.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 160, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Morikawa, Onishi, Tarnas).

SCRep. 363 Consumer Protection & Commerce on H.B. No. 306

The purpose of this measure is to:

- (1) Amend the definitions of "preceptor" and "volunteer-based supervised clinical training rotation" to improve accessibility for providers to receive income tax credits for acting as preceptors; and
- (2) Revise the membership of the Preceptor Credit Assurance Committee to include the Director of Health.

Your Committee received testimony in support of this measure from the Department of Health, Department of Taxation, University of Hawai'i System, Hawai'i State Center for Nursing, Hawai'i Primary Care Association, Queen's Health Systems, Hawai'i Association of Professional Nurses, Hawai'i State Rural Health Association, and five individuals.

Your Committee finds that although the intent of the existing Healthcare Preceptor Tax Credit is to incentivize volunteer preceptors to offer professional instruction, training, and supervision to students and residents seeking careers as healthcare providers, only a small subset of potential preceptors are able to meet the current eligibility requirements. Your Committee believes that clarifying the eligibility requirements for the healthcare preceptor tax credit will expand the field of preceptors, thereby increasing the opportunities for students pursuing careers as healthcare providers to obtain in-state supervised clinical training. Your Committee further notes the testimony received in your Committee that requested clarifications that this measure's provisions will apply to all of calendar year 2021.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 306, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Morikawa, Onishi, Tarnas).

SCRep. 364 Consumer Protection & Commerce on H.B. No. 309

The purpose of this measure is to:

- (1) Expand coverage of breast cancer screening and imaging to include risk factor screening, additional and supplemental imaging, and baseline mammograms for women between the ages of thirty-five and thirty-nine; and
- (2) Require the Auditor to conduct an impact assessment report to assess the social and financial impacts of the proposed mandated coverage and report to the Legislature prior to the Regular Session of 2022.

Your Committee received testimony in support of this measure from the Hawai'i Primary Care Association, Hawai'i Radiological Society, Hawai'i Medical Association, Hawai'i Pacific Health, and Hawai'i Society of Clinical Oncology. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Health, Hawai'i Medical Service Association, and Hawai'i Association of Health Plans.

Your Committee finds that, on average, women in Hawai'i between the ages of forty and forty-nine have a higher incidence of breast cancer compared to the national average. Your Committee further finds that expanding the coverage and types of coverage of breast cancer screening is in the best interest of public health and will ensure that women with high risk of breast cancer in Hawai'i have access to early breast cancer screening.

Your Committee has amended this measure by:

- (1) Removing language that would have mandated baseline mammograms for women between the ages of thirty-five and thirty-nine from breast cancer screening and imaging coverage; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 309, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 309, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Morikawa, Onishi, Tarnas).

SCRep. 365 Consumer Protection & Commerce on H.B. No. 473

The purpose of this measure is to authorize the establishment of a physician-patient relationship via a telehealth appointment if the physician is licensed in the State.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Hawai'i Medical Board, Healthcare Association of Hawai'i, Kaiser Permanente Hawai'i, Hawai'i Substance Abuse Coalition, Hawai'i Pacific Health, Hawai'i Medical Association, AARP Hawai'i, Queen's Health Systems, American Telemedicine Association, and one individual. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that the coronavirus disease 2019 pandemic drastically changed how health care providers care for their patients. As a result of the pandemic, the State has seen an increase in the use of telehealth services, which provides a safe and easy way for patients to continue seeing their health care providers. Despite the convenience of telehealth, existing law remains ambiguous regarding whether a patient can use telehealth to establish a physician-patient relationship. Your Committee believes that having the flexibility to establish a physician-patient relationship through telehealth will increase access to care for residents in the State.

Your Committee recognizes the testimony from the Department of Public Safety noting a potential conflict with existing laws that do not allow the use of telehealth, specifically to ensure that controlled substances in Hawai'i are administered, prescribed, and dispensed for legitimate medical purposes.

Accordingly, your Committee has amended this measure by specifying that a patient or licensed physician may use telehealth for any allowable purpose in accordance with the law, rather than for any purpose.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 473, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 473, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Morikawa, Onishi, Tarnas).

SCRep. 366 Consumer Protection & Commerce on H.B. No. 224

The purpose of this measure is to:

- (1) Change the administration of the State Health Planning and Development Special Fund and divert excess monies in the Fund each year to the general fund;
- (2) Amend certain provisions for the certificate of need process; and
- (3) Appropriate funds for permanent positions within the State Health Planning and Development Agency.

Your Committee received testimony in support of this measure from the State Health Planning and Development Agency, Elder Care 808, and one individual. Your Committee received testimony in opposition to this measure from Liberty Dialysis-Hawaii/Fresenius Medical Care North America. Your Committee received comments on this measure from the Hawaii Primary Care Association and Hawaii Substance Abuse Coalition.

Your Committee finds that revamping the administration of the State Health Planning and Development Agency as proposed in this measure will support its functions and operations through use of special funds for personnel expenditures. In addition, the provision of additional fees and fines envisioned by this measure will help to increase funds in the State Health Planning and Development Special Fund. Your Committee notes that this measure will enable the State Health Planning and Development Agency to support itself and perform its statutory functions.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 224, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Morikawa, Onishi, Tarnas).

SCRep. 367 Consumer Protection & Commerce on H.B. No. 871

The purpose of this measure is to support and promote agriculture in the State, specifically on lands under the jurisdiction of the Department of Agriculture, by establishing a new agricultural enterprise program.

Your Committee received testimony in support of this measure from Larry Jefts Farms, LLC; Ponoholo Ranch Limited; Hawai'i Farm Bureau; Jays Hog Farm; Ulupono Initiative; Hawaii Aquaculture & Aquaponics Association; Land Use Research Foundation of Hawaii; East Oahu County Farm Bureau; AG Matters, LLC; MauiGrown Coffee, Inc.; Hawaii Crop Improvement Association; Local Food Coalition; Hawaii Cattlemen's Council, Inc.; and six individuals. Your Committee received comments on this measure from the Department of Agriculture and University of Hawai'i System.

Your Committee finds that while the production of crops and organisms on agricultural park and non-agricultural park lands under the jurisdiction of the Department of Agriculture are promoted and allowed, existing law does not explicitly allow ancillary and other activities related to and supportive of agriculture. Supporting the broad spectrum of agricultural activities from crop development to innovative programs such as in this measure will allow Hawaii's agricultural industry to flourish. Specifically, this measure clarifies that ancillary and other related activities supporting agriculture are encouraged on all Department lands, which will give the Department greater flexibility on agricultural leases to help further develop Hawaii's agriculture industry and ensure the Department can fulfill its statewide goals and objectives.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 871, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 871, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Morikawa, Onishi, Tarnas).

SCRep. 368 Consumer Protection & Commerce on H.B. No. 1004

The purpose of this measure is to:

- (1) Allow the Department of Labor and Industrial Relations to prohibit the operation of pressure retaining items, amusement rides, and elevators and kindred equipment if fees and fines are not timely paid; and
- (2) Require the Director of Labor and Industrial Relations to establish the boiler and elevator fee schedule by rule, rather than setting the fees in statute.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations.

Your Committee finds that the Department of Labor and Industrial Relations has struggled to collect fees for completed inspections, which threatens the viability of the Boiler and Elevator Revolving Fund. This measure will enhance compliance with the timely paying of fees. Your Committee further finds that the current statutory fee schedules for boilers and elevators are outdated, as the Department's administrative rules already contain the updated fee amounts. This measure therefore deletes the existing fee schedules in statute.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1004, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1004, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 369 Consumer Protection & Commerce on H.B. No. 72

The purpose of this measure is to:

- (1) Establish a framework for the regulation of electric foot scooters by the State and counties; and
- (2) Amend definitions of "moped" to exclude electric foot scooters.

Your Committee received testimony in support of this measure from the Department of Transportation, Department of Transportation Services of the City and County of Honolulu, Department of Customer Services of the City and County of Honolulu, and Honolulu Police Department. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice. Your Committee received comments on this measure from the Hawaii State Energy Office and Spin.

Your Committee finds that electric foot scooters and other micromobility options continue to evolve and expand. As use of micromobility devices increase, your Committee notes that these modes of transportation offer enormous potential to be a solution to reducing transportation costs, traffic on Hawaii's roadways, dependence on fossil fuels, and pollutants and harmful emissions. Electric foot scooters provide an affordable, convenient, and sustainable transportation option.

Your Committee has amended this measure by:

- (1) Placing the new registration requirements for electric foot scooters under the chapter relating to County Vehicular Taxes, rather than in the Traffic Code;
- (2) Clarifying the penalties for persons who operate an electric foot scooter in reckless disregard of persons or property;
- (3) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 72, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 72, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 370 Consumer Protection & Commerce on H.B. No. 943

The purpose of this measure is to establish a different regulatory framework for nondepository trust companies by:

- (1) Clarifying the powers and duties of nondepository trust companies;
- (2) Changing the yearly assessments on nondepository trust companies by basing the calculation on total assets under management; and
- (3) Establishing a paid-in capital and surplus requirement in order to charter nondepository trust companies in the State.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that nondepository trust companies provide a valuable service to consumers who do not have assets that would qualify for asset management by banks or large investment firms or do not have friends or family members to manage their assets.

Your Committee further finds that the main purpose of nondepository trust companies is to serve as a fiduciary, acting as a trustee or guardian in the administration of funds, estates, and other related services. Your Committee, therefore, recognizes the important role of these entities and this measure's effort to promote their viability in the State.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 943, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 943, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 371 Consumer Protection & Commerce on H.B. No. 113

The purpose of this measure is to exempt hydrogen fuels from petroleum product measurement requirements.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Ulu pono Initiative, Servco Pacific Inc., Alliance for Automotive Innovation, and Hawai'i Gas. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that hydrogen, as a clean fuel, is important to Hawaii's energy portfolio and an attractive fuel option for transportation and electricity generation applications. Your Committee further finds that the Department of Agriculture currently does not have the technical skills and equipment to measure and certify hydrogen dispensers. This measure will enable hydrogen to be more broadly available, thereby advancing clean, renewable ground transportation and provide immediate benefits to the State.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 113, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 372 Consumer Protection & Commerce on H.B. No. 181

The purpose of this measure is to amend the definition of "property" as it relates to offenses against property rights under the Penal Code to expressly include intellectual property or property stored in an electronic medium.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu. Your Committee received testimony in opposition to this measure from the Honolulu Police Department.

Your Committee notes the concerns raised in testimony before your Committee that the Honolulu Police Department does not have the personnel, investigative expertise, or ability to determine the monetary value associated with intellectual property crimes.

Accordingly, your Committee has amended this measure by:

- (1) Removing provisions regarding intellectual property;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 181, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 181, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 373 Consumer Protection & Commerce on H.B. No. 1016

The purpose of this measure is to:

- (1) Clarify that a valid commercial marine vessel license satisfies the commercial marine license requirement for all persons taking marine life for commercial purposes aboard a licensed vessel; and
- (2) Authorize any person providing fishing charter services to obtain a commercial marine vessel license.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, United Fishing Agency, and ten individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that currently, every individual on a fishing vessel must each have a commercial marine license to participate in a commercial fishing trip. This requirement causes problems when part-time crew members are needed for a trip or when visitors are invited on board. This measure would be more convenient and cost effective for Hawaii boat-based fishers by ensuring that everyone on board is covered under one license. This measure also specifies that any person providing fishing charter services, whether vessel-based or shore-based, is authorized to obtain a commercial marine license.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1016, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 374 Consumer Protection & Commerce on H.B. No. 499

The purpose of this measure is to authorize the Board of Land and Natural Resources to extend commercial, industrial, resort, mixed-use, or government leases, other than those to which the University of Hawaii is a party, that have not been sold or assigned within the last ten years, for lessees who commit to substantial improvement to the existing improvements.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Pacific Resource Partnership; Stanford Carr Development, LLC; Prince Kuhio Plaza; and one individual. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs, Democratic Party of Hawai'i Hawaiian Affairs Caucus, Kūpuna for the Mo'opuna, and Ka Lāhui Hawai'i Komike Kalai'āina.

Your Committee finds that many leases issued by the State for commercial, industrial, resort, mixed-use, and government properties on public land are nearing the end of the lease term. Due to the uncertainty of their leases, some lessees are allowing properties to deteriorate or selling their leases near the end of the lease terms at a discount. This measure incentivizes lessees to make major infrastructural improvements, while ensuring the long-term commitment of businesses.

Your Committee has amended this measure by:

- (1) Prohibiting the assignment of leases to sublessees; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 499, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 499, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 375 Consumer Protection & Commerce on H.B. No. 809

The purpose of this measure is to improve broadband access and infrastructure in the State by:

- (1) Establishing the Hawaii Broadband Office within the Hawaii Technology Development Corporation;
- (2) Establishing the position of the State Broadband Strategy Officer;
- (3) Renaming the Broadband Assistance Advisory Council as the Broadband Advisory Council and amending its purpose and membership;
- (4) Requiring the Chief Executive Officer of the Hawaii Technology Development Corporation to convene and chair the Broadband Advisory Council; and
- (5) Appropriating funds for the creation and staffing of the Hawaii Broadband Office.

Your Committee received testimony in support of this measure from the Department of Health, Department of Transportation, Hawaii Primary Care Association, and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs; Department of Business, Economic Development, & Tourism; Hawaii Technology Development Corporation; and Maui Chamber of Commerce.

Your Committee finds that there is a strong relationship between broadband access and economic development, education, health, community building, and civic engagement throughout the State. Furthermore, broadband is essential to maintain Hawaii's global competitiveness and a modern lifestyle, as its use grows in all sectors, particularly in education, retail, and government services. This measure establishes the Hawaii Broadband Office and restructures the Broadband Assistance Advisory Council to improve broadband services throughout the State.

Your Committee has amended this measure by:

- (1) Specifying that existing members of the Advisory Council will continue to serve the remainder of their terms and requiring that vacancies be filled in a manner consistent with this measure; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 809, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 809, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 376 Consumer Protection & Commerce on H.B. No. 1191

The purpose of this measure is to:

- (1) Establish the Broadband Infrastructure Grant Program to award grants to applicants to extend deployment of infrastructure used to provide broadband service to unserved areas of the State;
- (2) Amend the Hawaii Technology Loan Revolving Fund to change it to the Hawaii Broadband Infrastructure Fund, including the types of funds deposited into the fund; and
- (3) Authorize the issuance of general obligation bonds for the Broadband Infrastructure Grant Program.

Your Committee received testimony in support of this measure from the Department of Transportation, Office of Community Services of the Department of Labor and Industrial Relations, Hawaii Primary Care Association, Charter Communications, Maui Chamber of Commerce, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance; Department of Business, Economic Development, and Tourism; Office of Information Practices; Hawaii Technology Development Corporation; and Hawaiian Telcom.

Your Committee finds that it is critical to improve access to broadband services for residents, consumers, and businesses across the State. Although broadband coverage in the State is widespread, additional investment can be made to keep up with needs in rural communities to bridge the digital divide. The Broadband Infrastructure Grant Program proposed by this measure would facilitate deployment of infrastructure necessary to bring broadband service to unserved and underserved areas of the State. Your Committee notes that twenty-three states have grant programs similar to the one proposed in this measure.

Your Committee further finds that there are several federal programs with similar objectives in ensuring that more Americans have access to broadband service, including the Federal Communications Commission's Rural Digital Opportunity Fund. Your Committee notes that the Broadband Infrastructure Grant Program is intended to be complementary to these federal programs and further the shared goal of expanding broadband service access.

Your Committee has amended this measure by:

- (1) Specifying that an applicant attest that the project does not jeopardize the eligibility of federal funding;
- (2) Changing the appropriation to an unspecified amount; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the appropriation amount in this measure, as received by your Committee, was \$5,000,000. Should your Committee on Finance choose to hear this measure, your Committee respectfully requests that it give consideration to this appropriation amount.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1191, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1191, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 377 Consumer Protection & Commerce on H.B. No. 327

The purpose of this measure is to:

- (1) Convene a Sustainable Aviation Fuel Task Force within the Hawaii State Energy Office to develop a state action plan to reduce the greenhouse gas intensity of international air transportation from Hawaii; and
- (2) Require the Task Force and Hawaii State Energy Office to submit reports to the Legislature.

Your Committee received testimony in support of this measure from the Office of Planning, Climate Protectors Hawaii, Imua Alliance, 350Hawaii.org, and five individuals. Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee finds that many of the requirements and renewable energy goals of the State have been focused on the electricity and ground transportation sectors as sources of greenhouse gas emissions. However, not much regard has been given to emissions from other forms of transportation or other major economic drivers. Developing an action plan to reduce the greenhouse gas emissions generated by other forms of transportation, such as air transportation, will contribute to a holistic plan of action for Hawaii regarding policy, technology, funding, and facilitation of public and private actions on climate change mitigation.

Your Committee has amended this measure by:

- (1) Extending the timeframe for the task force to submit its interim and final reports by one year;
- (2) Specifying that the task force shall cease to exist on June 30, 2024; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 327, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 327, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 378 Consumer Protection & Commerce on H.B. No. 508

The purpose of this measure is to increase compliance with the Fireworks Control Law by increasing the fines for violations of permissible uses of fireworks.

Your Committee received testimony in support of this measure from the State Fire Council, Honolulu Fire Department, Hawaiian Humane Society, and four individuals. Your Committee received comments on this measure from the Department of Public Safety, Honolulu Police Department, and one individual.

Your Committee finds that the enforcement of the Fireworks Control Law is wanting. Your Committee further finds that enforcement is necessary to protect property from avoidable fire damage; protect persons from fire and explosion-related injuries; minimize respiratory distress caused by the air pollution; and avoid retraumatizing persons who may be adversely impacted by loud explosions.

To promote compliance with the Fireworks Control Law, your Committee finds that increasing the penalties under the Fireworks Control Law, as proposed by this measure, may help meet this objective.

Your Committee notes that the increased fine of up to \$4,000 proposed by this measure only applies to setting off, igniting, discharging, or otherwise causing to explode a consumer firework, display firework, article pyrotechnic, or aerial device outside of the permissible times established in the Fireworks Control Law, while retaining the existing fine of up to \$2,000 for all other violations.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 508, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 508, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 379 Consumer Protection & Commerce on H.B. No. 1376

The purpose of this measure is to implement certain tenant protections once the final eviction moratorium expires pursuant to a COVID-19 state of emergency proclamation, including:

- (1) Extending the notice period for summary possession from five days to fifteen days for failure to pay rent;
- (2) Requiring landlords to provide the notice to mediation centers;
- (3) Requiring landlords to enter into mediation if scheduled by a tenant, which will delay when a landlord may seek summary possession; and
- (4) Restricting when landlord remedies are available depending on the amount of rent due.

Your Committee received testimony in support of this measure from one member of the Maui County Council; Callahan Realty, Ltd.; and two individuals.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed H.D. 1, which amends this measure by:

- (1) Specifying that a defect in the notice provided by the landlord that is not intentional or material may be cured without dismissing an action for summary judgment;
- (2) Amending the schedule for when the remedy is available to a landlord in relation to when a final eviction moratorium expires, rather than a set range of dates after the effective date of this measure;
- (3) Inserting an appropriation;
- (4) Changing the effective date to upon its approval; and
- (5) Specifying that this measure repeals one year after the expiration date of a final eviction moratorium imposed pursuant to a state of emergency proclamation related to the COVID-19 emergency.

Your Committee received testimony in support of the proposed H.D. 1 from the Department of Commerce and Consumer Affairs, Hawai'i Association of REALTORS, Legal Aid Society of Hawai'i, and one individual. Your Committee received comments on the proposed H.D. 1 from the Judiciary.

Your Committee finds that the COVID-19 pandemic and the extraordinary governmental responses to contain the spread of the disease have ravaged the State's economy. Your Committee further finds that this negative economic effect threatens to exacerbate the State's pre-pandemic housing crisis with many tenants unable to pay rent and facing possible eviction.

Your Committee notes that the Governor's emergency proclamations related to the COVID-19 emergency have prevented a wave of evictions by imposing an eviction moratorium. However, once the eviction moratorium ceases, many tenants will face the possibility of eviction.

Your Committee further finds that the proposed H.D. 1 will provide a balanced, fair procedure for landlords and tenants to seek rental assistance and mediate and negotiate a resolution before evicting a tenant. The proposed H.D. 1 further provides for a phased return of evictions and staging evictions sooner for tenants who are further behind in rent. The proposed H.D. 1 is critical to ensure tenants are not threatened with homelessness during this uncertain economic period and prevent a flood of evictions within the judicial system.

Your Committee has amended this measure by adopting the proposed H.D. 1 and further amending the measure by:

- (1) Clarifying that the notice to the tenant shall provide that a landlord may file an action for summary possession if rent due is not paid and if mediation is not scheduled;
- (2) Specifying that the amount appropriated is for the Judiciary to contract for mediation services;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1376, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1376, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 380 Consumer Protection & Commerce on H.B. No. 445

The purpose of this measure is to lower the exclusion amount of the estate tax to \$1,000,000.

Your Committee received testimony in support of this measure from Faith Action for Community Equity, Our Revolution Hawaii, Americans for Democratic Action, Planned Parenthood Votes Northwest and Hawaii, Hawaii State Teachers Association, Young Progressives Demanding Action, Hawaii Appleseed Center for Law & Economic Justice, Democratic Party of Hawai'i Education Caucus, Imua Alliance, Hawai'i Health & Harm Reduction Center, Hawai'i Budget & Policy Center, Hawai'i Children's Action Network, and eight individuals. Your Committee received testimony in opposition to this measure from the Hawaii Automobile Dealers Association and eight individuals. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the estate tax is based on the property owned by a decedent, and includes realty, bank deposits, life insurance, stock, and all other assets. The estate tax rate begins at ten percent of the net taxable estate and may rise up to twenty percent. If the estate does not have liquid assets to pay the estate tax, the estate may require the beneficiaries to sell the assets, including real property, in order to satisfy the tax.

Your Committee further finds that while the federal estate tax exclusion is set to \$11,580,000 as a result of the federal Tax Cuts and Jobs Act, the State froze the exclusion under state law at \$5,490,000. As such, your Committee finds and is concerned that many persons from middle-class families who are excluded under the existing law will be subject to the estate tax if the exclusion under state law is lowered to \$1,000,000, as proposed in this measure.

Your Committee has amended this measure by:

- (1) Changing the exclusion amount of the estate tax to an unspecified amount; and
- (2) Changing the effective date to January 1, 2050, to encourage further discussion.

Your Committee notes that the Department of Taxation submitted testimony on this measure expressing concerns that the measure retroactively subjects some estates to the lower exclusion amount. As this amended measure proceeds through the legislative process, your Committee requests that consideration be given to the Department of Taxation's concern and suggestion that this amended measure be applicable to decedents dying or taxable transfers occurring after December 31, 2021.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 445, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 445, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Onishi). Noes, 1 (Kong). Excused, none.

SCRep. 381 Consumer Protection & Commerce on H.B. No. 393

The purpose of this measure is to reduce the State's greenhouse gas emissions by:

- (1) Establishing a goal for the State to reduce emissions that cause climate change and build energy efficiencies across all sectors, including establishing a clean ground transportation target; and
- (2) Prohibiting the sale or offer for sale of new motor vehicles by motor vehicle dealers and salespersons that are solely powered by fossil fuels and designed for personal use by a certain date.

Your Committee received testimony in support of this measure from the Hawaiian Electric Company, Blue Planet Foundation, Imua Alliance, 350Hawaii.org, and one individual. Your Committee received testimony in opposition to this measure from the Motorcycle Industry Council and Alliance for Automotive Innovation. Your Committee received comments on this measure from the Hawaii State Energy Office, Motor Vehicle Industry Licensing Board, Ulupono Initiative, and Hawaii Automobile Dealers' Association.

Your Committee finds that the State has committed to several goals in an attempt to prevent or mitigate the effects of climate change, including the adoption of the renewable energy portfolio standards and zero emissions clean economy target. Your Committee further finds that ground transportation accounts for forty-seven percent of the State's 8,690,000 metric tons of transportation emissions. This measure continues the State's commitment to lowering the State's carbon emissions and reliance on fossil fuels.

Your Committee notes that in written testimony received by your Committee, concerns were raised that the prohibition on fossil fuel-powered motor vehicles could be circumvented by residents simply purchasing motor vehicles in other states and shipping the motor vehicles to Hawaii. This circumvention would defeat the purpose of the prohibition while simultaneously harming local businesses.

Your Committee received testimony at the public hearing that several manufacturers will be releasing electric motor vehicles other than sedans within the next few years. However, your Committee is concerned that consumers will have limited choices across the range of motor vehicle styles if a prohibition on fossil fuel-powered motor vehicles is implemented. Your Committee requests consideration be given to whether consumers will have satisfactory choices across the range of motor vehicle styles when determining the implementation date for a prohibition on fossil fuel-powered motor vehicles. Additionally, your Committee requests that consideration be given to whether such a prohibition will impose a significant increase in cost to consumers when determining the implementation date.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 393, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Har, Kong, Morikawa, Onishi, Matsumoto). Noes, none. Excused, none.

SCRep. 382 Consumer Protection & Commerce on H.B. No. 161

The purpose of this measure is to authorize the Director of Finance of a county to require an individual to pay any outstanding charges owed to the county for the towing, removal, or disposal of an abandoned or derelict vehicle before a motor vehicle certificate of registration is issued to the individual unless the abandoned vehicle was stolen.

Your Committee received testimony in support of this measure from the Department of Finance of the County of Kauai, Kauai Police Department, Hawaii State Association of Counties, and one individual. Your Committee received comments on this measure from Enterprise Holdings.

Your Committee finds that abandoned and derelict vehicles in communities across the State are public eyesores and health and safety hazards. This public nuisance stems from the ease of abandoning vehicles, as well as towing fees and other costs involved in disposing of a vehicle, among other factors. Your Committee finds that the counties are not only inundated with complaints about abandoned and derelict vehicles, but the county police departments find it

difficult to enforce the law, including the collection of outstanding towing and related costs. This measure aims to deter and curtail individuals from abandoning their vehicles by imposing the responsibility for the outstanding charges incurred from abandoned and derelict vehicles on those vehicle owners who contribute to the problem.

Your Committee has amended this measure by changing the effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 161, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 161, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Morikawa, Onishi, Tarnas).

SCRep. 383 Consumer Protection & Commerce on H.B. No. 988

The purpose of this measure is to amend kupuna care and caregiver support services laws to:

- (1) Expand the definition of "coach" to include an individual that assists the care recipient and caregiver with enrollment into programs and completing necessary forms;
- (2) Amend the definition of "person-centered support plan" to mean a plan developed by a care recipient and the recipient's qualified caregiver that identifies the needs of the care recipient and allows the caregiver to remain in the workforce;
- (3) Allow qualified caregivers to continue providing services even if they work less than thirty hours a week or are working reduced hours or are unemployed during a declared state of emergency;
- (4) Add traditional services and kupuna caregiver-directed services to the Kupuna Caregivers Program; and
- (5) Allow funds allocated to qualified caregivers under the Kupuna Caregivers Program to be issued directly to a financial management service provider.

Your Committee received testimony in support of this measure from the Department of Human Services, Executive Office on Aging, Policy Advisory Board for Elder Affairs, AARP Hawai'i, AAUW of Hawaii, Breastfeeding Hawaii, Alzheimer's Association Aloha Chapter, Young Progressives Demanding Action, and eight individuals. Your Committee received comments on this measure from the Hawaii Alliance for Retired Americans.

Your Committee finds that because of the 2019 novel coronavirus pandemic, many caregivers of kupuna saw their hours of employment reduced and many others who worked for contracted service providers either closed or decreased their services. Your Committee further finds that providing more flexibility to those that provide caregiving services to kupuna during the ongoing economic uncertainty will provide area agencies on aging with more options to better serve kupuna and their qualified caregivers.

Your Committee has amended this measure by:

- (1) Deleting provisions that would have allowed an individual who is unemployed during a declared state of emergency to be a qualified caregiver; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 988, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 988, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Morikawa, Onishi, Tarnas).

SCRep. 384 Consumer Protection & Commerce on H.B. No. 391

The purpose of this measure is to establish a process for the early termination of a rental agreement for certain active duty servicemembers who:

- (1) Receive military orders to vacate civilian housing and move into on-post government quarters;
- (2) Become eligible to live at on-post government quarters and failure to move into on-post government quarters will result in a forfeiture of the basic allowance for housing; or
- (3) Die while serving on active duty.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii and four individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that servicemembers can lose their housing allowance when they get divorced, no longer have dependents, or do not have physical custody of children. In this event, servicemembers will be required to move into barracks regardless of any valid lease to which they are a party. Your Committee further finds that this measure will help ensure that servicemembers will not have to face evictions or serious financial hardship if they are no longer eligible for a basic housing allowance and need to terminate a residential lease for off-post housing.

Your Committee notes the concerns expressed in written testimony submitted to your Committee that this measure has the potential for abuse, and that there are instances in which it may not be appropriate to provide for the relief allowed in this measure. As an example, a servicemember may be ordered to vacate civilian housing to prevent abuse to a spouse. In such a case, your Committee finds that servicemembers should not avail themselves of the provisions of this measure to their benefit, which may also leave their spouse homeless.

Your Committee has amended this measure by:

- (1) Specifying that the process for early termination of a rental agreement does not apply if the military orders are a result of disciplinary action or court order; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 391, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.B. No. 391, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Morikawa, Onishi, Tarnas).

SCRep. 385 Consumer Protection & Commerce on H.B. No. 605

The purpose of this measure is to require the Legislative Reference Bureau to conduct a study on the establishment of a housing savings account system that would provide every employee in the State the ability to automatically contribute to a housing savings account through payroll deduction and report to the Legislature prior to the Regular Session of 2022.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Legislative Reference Bureau and Tax Foundation of Hawaii.

Your Committee finds that the high cost of housing in Hawaii prevents residents from being able to become homeowners. As the price of housing continues to increase, it gets more difficult for individuals and families to save for a down payment on a home or pay for their mortgage or rent. Your Committee finds merit in an innovative approach that would potentially create a housing savings account in which employees would automatically contribute funds through payroll deduction for purposes of purchasing or paying for housing in the State. This measure would help the State in making informed decisions regarding housing savings accounts by first requiring a study on the establishment of such a program.

Your Committee has amended this measure by:

- (1) Clarifying that the study shall include the ability for funds contributed into a housing savings account to be used for any housing-related purpose, rather than any purpose; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 605, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 605, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Morikawa, Onishi, Tarnas).

SCRep. 386 Consumer Protection & Commerce on H.B. No. 1088

The purpose of this measure is to prohibit manufacturers from selling cosmetics that are tested on animals in a cruel manner, beginning on January 1, 2024.

Your Committee received testimony in support of this measure from Animal Rights Hawai'i, Cruelty Free International, Down to Earth, The Humane Society of the United States, Hawaiian Humane Society, The Body Shop, O'o Hawaii, Pure Mana Hawaii, and one individual.

Your Committee finds that modern cosmetic safety testing standards and practices such as engineered human tissue and computer aided modeling no longer require the use of animals. These new testing methods are also more reliable, efficient, and effective. Your Committee further finds that this measure strikes a balance between a complete ban and limited exceptions to the animal testing prohibition, which exceptions recognize the realities of chemical testing commonly done around the globe.

Your Committee has amended this measure by moving the substantive provisions in this measure to Chapter 328, Hawaii Revised Statutes, as part of the Hawaii Food, Drug, and Cosmetic Act.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1088, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.B. No. 1088, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Morikawa, Onishi, Tarnas).

SCRep. 387 Consumer Protection & Commerce on H.B. No. 1324

The purpose of this measure is to establish a commercial rent relief grant program for owners of properties classified as commercial, hotel and resort, or industrial under county real property tax classifications, under certain circumstances.

Your Committee received testimony in support of this measure from the Hawaii Food Industry Association; Hawai'i Farm Bureau; Retail Merchants of Hawaii; Chamber of Commerce Hawaii; HawaiiUSA Federal Credit Union; Fun Factory, Inc.; Eggs 'n Things; Retail Entertainment Concepts, Inc.; Island Business Management Hawaii; Hawaii Bankers Association; NAIOP Hawaii; Blue Ginger; Maui Chamber of Commerce; Hawaii Lodging & Tourism Association; and ABC Stores. Your Committee received comments on this measure from the Department of Taxation and Department of Business, Economic Development, and Tourism.

Your Committee finds that in order to mitigate the effects of the coronavirus disease 2019 (COVID-19) pandemic, the Governor proclaimed a state of emergency, which required many businesses to close down. The mandated closures, while necessary, have had a devastating impact on the local economy. Your Committee further finds that due to these mandated closures, commercial landowners have also suffered financially due to unpaid rent or business closures. Your Committee recognizes the efforts of commercial landowners who have tried to ease the financial burden placed on small businesses in the State by providing rent forgiveness to their tenants. The potential benefit of this grant program for certain commercial property owners who provide tenant businesses with rent relief could serve as the impetus to restarting our local economy in the new normal business environment and serve as a catalyst for commercial property owners and tenant business owners working together to develop a more resilient economic plan or alliance moving forward. Your Committee believes that commercial landowners who provided rent forgiveness to their tenants should be helped so that small businesses may continue to operate in the State.

Your Committee has amended this measure by specifying that the Department of Business, Economic Development, and Tourism, rather than the Department of Taxation, is the agency authorized to conduct audits and investigations.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1324, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1324, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Morikawa, Onishi, Tarnas).

SCRep. 388 Judiciary & Hawaiian Affairs on H.B. No. 929

The purpose of this measure is to clarify that:

- (1) Hawaii domestic relations orders apply to benefits the Employees' Retirement System member is expected to receive or is receiving without regard to any Hawaii domestic relations order;
- (2) The release of an Employees' Retirement System member's information may be initiated by a divorce decree;
- (3) The Employees' Retirement System may notify the member, former member with vested benefit status, retiree, or alternate payee of the advisory review determination on proposed domestic relations orders;
- (4) A Hawaii domestic relations order applied to a termination refund will not apply to any future return to work benefits of a member or former member with vested benefit status;
- (5) Should a retiree be deceased within a year of retirement, any payments made to an alternate payee according to the terms of a Hawaii domestic relations order will be considered payments to the retiree, should the beneficiary select an alternative benefit option;
- (6) The priority of multiple orders will be based upon the date of the receipt of the domestic relations order; and
- (7) The qualification of a domestic relations order shall supersede and terminate the qualification of any prior order between the same parties.

Your Committee received testimony in support of this measure from the Employees' Retirement System Board of Trustees.

Your Committee finds that on July 1, 2020, the Employees' Retirement System began processing Hawaii domestic relations order to allow the System to make direct payments to alternate payees. This measure helps facilitate implementation and provides transparency on Employees' Retirement System benefits payable to parties involved by specifying the benefits payable and clarifies the process of qualification, approval, and application of Hawaii domestic relations order.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 929, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 929, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 389 Judiciary & Hawaiian Affairs on H.B. No. 569

The purpose of this measure is to expand the victim-counselor privilege under the Hawaii Rules of Evidence to include:

- (1) Victims of dating violence, stalking, and sexual harassment; and
- (2) Confidential advocates employed by the University of Hawaii.

Your Committee received testimony in support of this measure from the Department of Human Services, University of Hawai'i System, Hawaii State Commission on the Status of Women, Planned Parenthood Votes Northwest and Hawaii, Hawaii State Coalition Against Domestic Violence, Hawaii Women's Coalition, The Sex Abuse Treatment Center, and one individual.

Your Committee finds that the additional legal protections provided by this measure will allow victims of sexual assault, domestic violence, dating violence, stalking, sexual harassment, and child abuse to share more information with University of Hawaii confidential advocates in confidence and receive better support from the University.

Your Committee has amended this measure by:

- (1) Clarifying that the victim has a semiabsolute privilege to refuse or prevent disclosure under the victim-counselor privilege; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 569, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 569, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 390 Judiciary & Hawaiian Affairs on H.B. No. 570

The purpose of this measure is to:

- (1) Expand the time period by which a civil action for childhood sexual abuse may be initiated;
- (2) Extend the period during which a victim of childhood sexual abuse may bring an otherwise time-barred action against the victim's abuser or a legal entity having a duty of care;
- (3) Allow victims to recover treble damages in certain circumstances; and
- (4) Allow a court to order the personnel of a legal entity against whom a claim is brought to undergo training on trauma-informed response to sexual abuse allegations.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, Planned Parenthood Votes Northwest and Hawaii, LGBT Caucus of the Democratic Party of Hawaii, Imua Alliance, CHILD USA, CHILD USA Advocacy, Talbert Law LLC, The Sex Abuse Treatment Center, and eight individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that survivors of childhood sexual abuse often do not divulge the truth of their abuse until adulthood, with some survivors delaying disclosure for fifty years or more. This measure will provide victims of childhood sexual abuse a better opportunity to seek justice.

Your Committee has amended this measure by:

- (1) Clarifying that a certificate of merit filed by the attorney for a plaintiff in a civil action arising from sexual offenses must be electronically filed under seal;
- (2) Adding language to provide greater flexibility for different approaches to what may constitute "trauma-informed response"; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 570, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 570, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 391 Judiciary & Hawaiian Affairs on H.B. No. 244

The purpose of this measure is to clarify the data requirements for land recordation by the Bureau of Conveyances, on land other than fee simple time share interests deregistered by the Land Court, to include a plan of the parcel or parcels sought to be deregistered that includes a map and description prepared by a licensed professional surveyor.

Your Committee received testimony in support of this measure from nine individuals.

Your Committee finds that currently there are no clear standards or requirements for the mapping or describing of certain lands that were voluntarily deregistered. This measure will provide clarity on the data requirements for land recordation by the bureau of conveyances, on land other than fee simple time share interests deregistered by the land court.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 244, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 244, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 392 Judiciary & Hawaiian Affairs on H.B. No. 1009

The purpose of this measure is to:

- (1) Amend the additional fines and costs for destroying or harvesting trees or tree products, including koa, on state forest reserves lands;
- (2) Establish penalties for any person who violates vehicular parking or traffic movement rules adopted by the Department of Land and Natural Resources under forest reserves, water development, and zoning laws;
- (3) Authorize the State to pursue civil legal action and criminal action against a person violating forest reserves, water development, and zoning laws and rules;
- (4) Establish criminal penalties for violations of all forest reserves laws or rules; and
- (5) Repeal the general penalty for violations of certain forestry and wildlife, recreation areas, and fire protection laws and rules.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and the Department of Land and Natural Resources' Division of Forestry and Wildlife.

Your Committee finds that this measure will allow the Department of Land and Natural Resources to more consistently and effectively address certain conservation and resource violations for the protection, preservation, and enhancement of public resources.

Your Committee has amended this measure by:

- (1) Precluding the State from pursuing further civil legal action to recover administrative fines, fees, and costs, including attorney's fees and costs, or monetary assessment, against a person fined for a traffic infraction under forest reserves, water development, and zoning laws; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1009, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1009, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Ward). Noes, none. Excused, 1 (Todd).

SCRep. 393 Judiciary & Hawaiian Affairs on H.B. No. 498

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

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and two individuals.

Your Committee finds that natural resource agencies prefer third-party mitigation banks or in-lieu fee mitigation to permittee-responsible mitigation because these third-party mitigation bank or in-lieu fee sponsors are often public or private entities with more experience, scientific expertise, and vested long-term interest in natural resource conservation. In-lieu fee mitigation is widely used across the United States to achieve ecologically valuable conservation by restoring wetland and stream habitats. The authority granted to the Department of Land and Natural Resources in this measure allows Hawaii to be the first state in the nation to establish in-lieu fee mitigation for coral reefs.

Your Committee has amended this measure by changing the effective date to July 1, 3021, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 498, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 498, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 394 Judiciary & Hawaiian Affairs on H.B. No. 1117

The purpose of this measure is to require vacancies in the offices of the United States House of Representatives, State Senators, and State Representatives to be filled by special election.

Your Committee received comments on this measure from the Office of Elections.

Your Committee finds that since 2010, there have been at least twenty vacancies in the offices of the United States Representatives, State Senators, and State Representatives. This measure will require vacancies in these offices to be filled via special election.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1117 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 1 (Tokioa). Excused, 1 (Todd).

SCRep. 395 Judiciary & Hawaiian Affairs on H.B. No. 884

The purpose of this measure is to require the Director of the Office of Information Practices to:

- (1) Rule or provide guidance on an agency denial of access to, or granting of access to, information or records; and
- (2) Receive and resolve complaints under Hawaii's Sunshine Law either by determining whether a violation occurred or providing guidance.

Your Committee received testimony in support of this measure from the Office of Information Practices and one individual. Your Committee received testimony in opposition to this measure from the Civil Beat Law Center for the Public Interest and Society of Professional Journalists Hawaii Chapter. Your Committee received comments on this measure from the League of Women Voters of Hawaii.

Your Committee finds that in many appeals, informal guidance would be more suitable, less time-consuming, and more efficient than providing a full legal opinion as required under existing law. This measure will provide the Office of Information Practices with the flexibility to handle its overwhelming caseload and improve its efficiency within the constraints of its limited resources.

Your Committee has amended this measure by:

- (1) Clarifying that the guidance must be written; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 884, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 884, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 396 Judiciary & Hawaiian Affairs on H.B. No. 526

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

- (1) Require a bidder's past performance on state contracts of similar scope to be considered for contract awards and responsibility determinations;
- (2) Require a responsible bidder or offeror to be determined based upon the responsibility determination standards adopted by the Procurement Policy Board;
- (3) Prohibit the evaluation of criteria not set forth in the request for proposals under the competitive sealed proposal process; and
- (4) Appropriate funds for the development and implementation of guidance and related implementation training for several tools relating to a past performance guide and past performance database, to be expended by the State Procurement Office.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received testimony in opposition to this measure from the Department of Accounting and General Services and Department of Design and Construction of the City and County of Honolulu. Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that the State's procurement process requires clear legislative direction to award contracts to responsible bidders or offerors to increase accountability, enhance performance, and utilize taxpayer dollars more efficiently. Your Committee further finds that currently, some state contracts may be awarded to the lowest bidder without regard to that bidder's poor past performance, which may lead to these bidders being considered qualified despite their poor past performance and result in repeated inefficiencies and substandard work. Your Committee believes consideration of past performance of a bidder will offer another level of consideration and diligence in evaluating responsibility, provide additional insight to positively impact the award selection, enhance quality performance, and efficiently and effectively utilize taxpayer dollars. Providing the State Procurement Office with funding to develop and implement certain training tools will lead to more effective procurement awards.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 526, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 397 Judiciary & Hawaiian Affairs on H.B. No. 670

The purpose of this measure is to authorize the forfeiture of certain Employees' Retirement System benefits, pursuant to court order, for state or county employees and designated beneficiaries who are convicted of an employment-related felony.

Your Committee received testimony in support of this measure from Common Cause Hawaii and eight individuals. Your Committee received comments on this measure from the Board of Trustees of the Employees' Retirement System.

Your Committee finds that public officers and employees are responsible for upholding the public's trust in government and democracy. The public's belief in government and democracy becomes strained when public officers and employees participate in misconduct in their employment, while maintaining the benefits of their employment. This measure will demonstrate that the State takes the ethics of its employees seriously.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 670, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 398 Judiciary & Hawaiian Affairs on H.B. No. 157

The purpose of this measure is to authorize any board, subject to the State's Sunshine Law, to hold a closed executive meeting to consider statements and information obtained from witnesses or victims during the course of an investigation into the hire, evaluation, dismissal, or discipline of an officer or employee or of charges brought against the officer or employee, where consideration of matters affecting a witness' or victim's privacy will be involved.

Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that investigations by a government agency into the hire, evaluation, dismissal, or discipline of government officers or employees or of charges against government officers or employees may involve witnesses or victims who are supervised by the government officer or employee being investigated or charged. This measure will encourage witnesses and victims of misconduct by government officers and employees to testify before government agencies by protecting their privacy and reducing the fear of threats and retaliation.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 157, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 157, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 399 Judiciary & Hawaiian Affairs on H.B. No. 465

The purpose of this measure is to:

- (1) Clarify that the representative of labor on the Hawaii Labor Relations Board be a person selected by a majority of the exclusive representatives of the collective bargaining units; and
- (2) Establish procedures for the removal of the representative of labor from the Hawaii Labor Relations Board.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and Hawaii State Teachers Association. Your Committee received testimony in opposition to this measure from the Office of Collective Bargaining. Your Committee received comments on this measure from the Hawaii Labor Relations Board.

Your Committee finds that the current process of allowing the Governor to pick a name from a list of three nominees to fill the role of representative of labor provides the Governor with too much authority over the composition of the Hawaii Labor Relations Board. Providing a single name to the Governor that has been vetted by the exclusive representatives, with a clear timeframe for the name to be transmitted to the Senate for consideration as well as a default process for Senate confirmation if the deadline is missed, ensures greater fairness, predictability, and transparency in the appointment process. Your Committee also finds that providing a mechanism to remove an ineffective labor representative is essential to the efficient functioning of the Hawaii Labor Relations Board.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 465, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 400 Judiciary & Hawaiian Affairs on H.B. No. 1012

The purpose of this measure is to authorize the Board of Land and Natural Resources to approve rental reductions or waivers for leases that require substantial demolition costs or infrastructure improvement costs in order for the lessee to utilize the premises.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received testimony in opposition to this measure from Kūpuna for the Mo'opuna.

Your Committee finds that this measure seeks to authorize the Board of Land and Natural Resources to approve a rent reduction or waiver for up to twenty years that shall not exceed the amount of the lessee's total expenditures for demolition of improvements or provision of infrastructure. This measure is part of an effort by the Department of Land and Natural Resources to bring its leasing practices to commercially reasonable standards.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1012, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (McKelvey). Noes, none. Excused, none.

SCRep. 401 Judiciary & Hawaiian Affairs on H.B. No. 724

The purpose of this measure is to prohibit the application of travel restrictions implemented during a state of emergency or local state of emergency to essential workers unless the application of those travel restrictions to essential workers has first been approved by the Governor.

Your Committee received testimony in support of this measure from the Hawaii Primary Care Association, Hawaii Medical Service Association, and Matson Navigation Company, Inc. Your Committee received comments on this measure from the Hawaii Emergency Management Agency.

Your Committee finds that ensuring that essential workers have the ability to travel without restriction to perform their jobs safely is critical to the State's ability to maintain the operation of critical infrastructure and community lifelines. Essential workers are required to be able to perform their jobs at any given notice and any type of travel restriction on essential workers would hinder their ability to provide necessary services to residents of the State. Your Committee

recognizes the efforts of all the workers in the State, including the importance of workers in the wi-fi and television network connection and programming sectors as dependable and reliable communication during an emergency is critical.

Your Committee has amended this measure by:

- (1) Expanding the definition of "essential worker" to include workers in the wi-fi and television network connection and programming sectors; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 724, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 724, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 402 Judiciary & Hawaiian Affairs on H.B. No. 103

The purpose of this measure is to:

- (1) Clarify that the powers granted for emergency purposes shall not be inconsistent with the Hawaii State Constitution;
- (2) Provide parameters for the duration of suspension of laws and require justification for the suspension;
- (3) Provide for the termination or extension of a proclamation of a state of emergency; and
- (4) Allow a separate proclamation arising from the same emergency or disaster as a previous proclamation that expired, upon request of the Governor and adoption of a concurrent resolution by the Legislature.

Your Committee received testimony in support of this measure from the State of Hawaii Organization of Police Officers; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and three individuals. Your Committee received testimony in opposition to this measure from the Hawaii Emergency Management Agency, Maui Chamber of Commerce, and one individual. Your Committee received comments on this measure from Common Cause Hawaii and Grassroot Institute of Hawaii.

Your Committee finds that to address the coronavirus disease 2019 (COVID-19) pandemic, the Governor declared a state of emergency on March 4, 2020, and has since issued 17 supplemental proclamations extending the state of emergency and other restrictions. Your Committee believes that there needs to be more checks and balances with regard to the extension of emergency proclamations to ensure the welfare of the residents of the State. Your Committee further finds that the Governor appropriately took action to provide relief for damages to protect the health, safety, and welfare of residents by suspending certain laws, however, as the State enters the eleventh month of the pandemic, it brings into question the need to continuously suspend a variety of state laws.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 103, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 403 Judiciary & Hawaiian Affairs on H.B. No. 541

The purpose of this measure is to:

- (1) Establish the State Payor Committee, to be co-chaired by the Directors of Health and Human Services, or their designated representatives, to implement a unified framework for tracking, coordinating, and guiding the purchase of behavioral health or substance abuse services across the continuum of care that strives for integrated performance metrics, evaluation standards, and reimbursement rates;
- (2) Require executive agencies and programs that purchase social services related to behavioral health or substance abuse to coordinate with the State Payor Committee as part of the planning for the purchase of these services and consider the recommendations and purchase of service framework developed by the State Payor Committee when purchasing these services; and
- (3) Require all community or private organizations that purchase services for behavioral health or substance abuse, at the request of any state funding agency, to disclose the source of other federal, state, or county level funding the organizations receive for the purposes of performing these services.

Your Committee received comments on this measure from the Department of Health, State Procurement Office, Hawaii Substance Abuse Coalition, Catholic Charities Hawaii, and The Queen's Health Systems.

Your Committee finds that the care for persons with behavioral health and substance abuse issues is uncoordinated across state agencies and public providers. Your Committee believes that establishing a formalized coordination for purchasing services with state resources will promote greater coordination in care by aligning the utilization of existing resources to better serve the people of Hawaii.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 541, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 404 Judiciary & Hawaiian Affairs on H.B. No. 545

The purpose of this measure is to require the Department of Hawaiian Home Lands, with the assistance of the Office of Enterprise Technology Services, to digitize its beneficiary waiting lists and other related data by creating a digital database of its applicant, beneficiary, and lessee records and other relevant information.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that while basic Department of Hawaiian Home Lands applicant waiting lists are available for download on its website, the exact details of each applicant, including whether the applicant has applied for multiple leases, been denied a prior lease, or been skipped over, is not readily accessible. Your Committee also notes that beneficiary records are spread across multiple locations. If a beneficiary seeks to determine their status, finding and gathering this information can take weeks. Your Committee further finds that compiling applicant information into a single database will help increase efficiency and reduce lease award abuse by lessees.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 545, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 405 Judiciary & Hawaiian Affairs on H.B. No. 542

The purpose of this measure is to update Schedule V of the State Uniform Controlled Substances Act to make it consistent with amendments in the federal controlled substances law as required under Hawaii law. Specifically, this measure removes the prescription drug Epidiolex and approved generic versions of that drug that contain cannabidiol derived from cannabis and no more than 0.1 percent (w/w) residual tetrahydrocannabinols from Schedule V of the State Uniform Controlled Substances Act.

Your Committee received testimony in support of this measure from the Department of Public Safety and Greenwich Biosciences. Your Committee received comments on this measure from Akamai Cannabis Clinic.

Your Committee finds that Epidiolex was approved by the Federal Drug Administration to treat seizures associated with Lennox-Gastaut syndrome, Dravet syndrome, and tuberous sclerosis complex. Your Committee further finds that this measure should not be construed to change the legal status of cannabis, tetrahydrocannabinols, and other cannabis-related constituents, except for the approved prescription drugs indicated above.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 542 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 406 Judiciary & Hawaiian Affairs on H.B. No. 662

The purpose of this measure is to provide an extensive process for limited firearm ownership solely for hunting or sport for certain misdemeanor offenders who are currently not allowed to possess a firearm in the State.

Your Committee received testimony in support of this measure from the Hawaii Firearms Coalition, Valley Isle Sport Shooters, Hawaii Rifle Association, and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Hawai'i State Coalition Against Domestic Violence, and eleven individuals. Your Committee received comments on this measure from the Office of the Public Defender.

Your Committee finds that federal law prohibits firearm ownership for individuals charged or convicted for various state misdemeanor offenses with no recourse to retain firearm ownership rights notwithstanding an expungement by pardon. This measure provides a very limited process to allow for certain misdemeanor offenders to possess a limited type of firearm for hunting or sport purposes only.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 662 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Matayoshi, Lowen). Noes, none. Excused, 1 (Todd).

SCRep. 407 Labor & Tourism on H.B. No. 931

The purpose of this measure is to clarify the Employees' Retirement System's eligibility requirement definitions for service-connected disability retirement and accidental death benefits.

Your Committee received testimony in support of this measure from the Employees' Retirement System.

Your Committee finds that in several cases, the Hawaii Supreme Court recently rendered rulings awarding Employees' Retirement System service-connected disability retirement or accidental death benefits beyond the Legislature's original intent. These rulings have increased the State's unfunded liability as a whole. Your Committee further finds that this measure will clarify those definitions and increase transparency in their application.

Your Committee has amended this measure by:

- (1) Incorporating the Employees' Retirement System's requested amendments, including amendments related to the accidental service-connected death benefit;
- (2) Changing the effective date to December 25, 2040, to encourage further discussion; 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 931, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 931, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 408 Labor & Tourism on H.B. No. 250

The purpose of this measure is to include as offenses of sexual assault in the second and third degrees, offenses against a person who is stopped by a law enforcement officer and a person who is accompanied by a law enforcement officer for official purposes.

Your Committee did not receive testimony on this measure.

Your Committee finds that there was an incident in which a Honolulu police officer was indicted for the offense of sexual assault in the third degree for knowingly subjecting a teenage girl in custody to sexual contact. The indictment was based upon the interpretation that a person being stopped by a police officer for a traffic infraction was in "custody". However, the indictment was dismissed with prejudice because the court determined that the term "custody" did not include a traffic stop, for purposes of the offense.

Your Committee further finds that this measure is intended to address the ruling by clarifying that the offenses of sexual assault in the second degree and sexual assault in the third degree include, and explicitly prohibit, a law enforcement officer from knowingly subjecting to sexual penetration or sexual contact, a person who is being stopped by the officer or accompanied by the officer for official purposes, including during a traffic stop.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 25, 2040, to encourage further discussion; and
- (2) 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 250, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 250, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (D. Kobayashi, Quinlan).

SCRep. 409 Labor & Tourism on H.B. No. 468

The purpose of this measure is to remove Medicare Part B reimbursement as a benefit for spouses of employee-beneficiaries hired on or after July 1, 2021.

Your Committee received testimony in support of this measure from the Department of Budget and Finance. Your Committee received comments on this measure from the Board of Trustees of the Hawaii Employer-Union Health Benefits Trust Fund and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the Hawaii Employer-Union Health Benefits Trust Fund determined that Employer Medicare Part B premium reimbursements for fiscal year 2020 totaled \$92,400,000, of which \$72,900,000 was attributable to the State, and approximately one quarter related to spouses. The actuarial estimated savings from this measure, if passed, would be \$1,200,000,000 over the next thirty years in lower annual required contributions.

Your Committee further finds that this change to the health benefits plan is limited to new hires, who will therefore have no expectation that their spouse would be entitled to this reimbursement. Your Committee also finds that the change will assist the State and counties in limiting their financial obligations to the Hawaii Employer-Union Health Benefits Trust Fund moving forward, while continuing to afford employees themselves this reimbursement benefit.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 25, 2040, to encourage further discussion; and
- (2) 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 468, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 468, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (D. Kobayashi, Quinlan).

SCRep. 410 Agriculture on H.B. No. 416

The purpose of this measure is to:

- (1) Prohibit certain restraints and tethers that endanger or deny sustenance to a dog; and
- (2) Authorize the court to assess fines, order performance of community service, require mental health counseling, or order attendance at education classes concerning animal abuse prevention in addition to or in lieu of other penalties.

Your Committee received testimony in support of this measure from the Hawaii Association of Animal Welfare Agencies, Hawaiian Humane Society, The Humane Society of the United States, Your Animal Interfaith Alliance in Britain, and numerous individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from Pono Advocacy, Animal Rights Hawaii, and one individual.

Your Committee finds that constant, improper tethering and restraint puts a dog's health and safety at risk. Your Committee further finds that existing state laws make it difficult for enforcement officers to take action before a dog suffers injury or death.

Your Committee has amended this measure by:

- (1) Including trolleys with and without swivels among the types of prohibited devices that may be used to attach a dog to two stationary objects;
- (2) Clarifying that use of restraints or tethers that endanger a dog, including preventing the dog from obtaining necessary sustenance, are prohibited;
- (3) Prohibiting the use of any tether or restraint on a dog under the age of six months, unless the dog is engaged in an activity supervised by its owner or an agent of its owner;
- (4) Prohibiting the tethering or restraint of dogs by tow or log chains;
- (5) Prohibiting the tethering or restraint of a dog through the use of a choke collar, pinch collar, or prong collar, unless the dog is engaged in an activity supervised by its owner or an agent of its owner;
- (6) Clarifying that the courts may assess fines, order performance of community service, require mental health counseling, or order attendance at educational classes concerning animal abuse prevention in addition to any authorized penalty, rather than in lieu of; and
- (7) 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 416, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 416, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 411 Agriculture on H.B. No. 872

The purpose of this measure is to allow fees generated from diagnostic, surveillance, and other work by the Department of Agriculture's Veterinary Laboratory and Animal Disease Control Branch to be deposited into the Animal Industry Special Fund.

Your Committee received testimony in support of this measure from the Board of Agriculture. Your Committee received comments on this measure from the Hawaii Cattlemen's Council, Inc.; and one individual.

Your Committee finds that the fees deposited into the Animal Industry Special Fund are used to support the operations and costs of the Department of Agriculture's Division of Animal Industry and the Department of Agriculture's resource management and planning programs. This measure adds a new source of revenue for the Division, which can be used to assist with its ongoing operations.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 872 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 412 Health, Human Services, & Homelessness on H.B. No. 308

The purpose of this measure is to appropriate funds for one full-time equivalent permanent federal grant coordinator position within the Office of the Director of Health.

Your Committee received testimony in support of this measure from the Department of Health and Hawaii Primary Care Association. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that a federal grant coordinator will assist the Department of Health in developing competitive grant proposals for federal and other privately funded grant opportunities.

Your Committee has amended this measure by changing the effective date to July 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 308, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 308, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 413 Health, Human Services, & Homelessness on H.B. No. 311

The purpose of this measure is to:

- (1) Extend the Nursing Facility Sustainability Program to June 30, 2024;
- (2) Specify that the Nursing Facility Sustainability Fee shall not exceed 5.5 percent of overall net patient service revenue; and
- (3) Remove the per resident daily maximum fee of \$20 for each facility and permit certain facilities to pay a reduced daily fee, as compared to other participating facilities.

Your Committee received testimony in support of this measure from the Department of Human Services, The Queen's Health Systems, Healthcare Association of Hawaii, Hawaii Primary Care Association, Kalakaua Gardens, Aloha Nursing Rehab Centre, Kula Hospital, Lanai Community Hospital, Clarence T.C. Ching Villas at St. Francis, Puuwai O Makaha, Ohana Pacific Health, and one individual.

Your Committee finds that a provider fee on nursing facilities assessed under the Nursing Facility Sustainability Program can result in a substantial increase in Medicaid payments without putting additional constraints on the State's budget. Your Committee further finds that for Fiscal Year 2021, the nursing facilities in the state will be assessed \$13,000,000 in sustainability fees and receive approximately \$15,000,000 in net reimbursements. These additional monies increase the sustainability of nursing facilities in the State and ensure that the facilities can continue as a critical part of the safety net for Medicaid recipients.

Should your Committee on Finance choose to deliberate on this measure, your Committee on Health, Human Services, and Homelessness respectfully requests that it consider appropriating \$33,000,000 from the Nursing Sustainability Program Special Fund for uses consistent with the special fund.

Your Committee has amended this measure by:

- (1) Allowing nursing facilities to pay their assessed fees within sixty days after the end of each month, rather than thirty days;
- (2) Changing the appropriation to an unspecified amount;
- (3) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 311, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 311, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 414 Health, Human Services, & Homelessness on H.B. No. 339

The purpose of this measure is to expedite the process for appealing family court orders by making the orders appealable directly to the Hawaii Supreme Court instead of the Intermediate Court of Appeals.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Judiciary.

Your Committee finds that in recent years some parents and children have had to wait up to eight years for cases to be resolved. Your Committee further finds that these excessive wait times raise due process concerns.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 339, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 339, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Har). Noes, 1 (Ward). Excused, 1 (LoPresti).

SCRep. 415 Health, Human Services, & Homelessness on H.B. No. 729

The purpose of this measure is to ensure certain monies appropriated to the Department of Human Services are used to fund core services that address homelessness.

Your Committee received testimony in support of this measure from the Hawaii Health & Harm Reduction Center, Hope Services Hawaii, and two individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Budget and Finance, and Department of Human Services.

Your Committee finds that data from the University of Hawaii Economic Research Organization has shown that because of the severe economic impact the COVID-19 pandemic has had on the State, more than eleven thousand Hawaii tenants have fallen behind on their rent. Your Committee further finds that proposed cuts to the Department of Human Services threatens the ability of the Department of Human Services to adequately address the State's growing homelessness crisis.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 729, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 729, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 416 Health, Human Services, & Homelessness on H.B. No. 730

The purpose of this measure is to require that any provider that is awarded a contract to provide health and human services by a purchasing agency be a qualified Medicaid provider.

Your Committee received testimony in opposition to this measure from the State Procurement Office and two individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Human Services, and Department of Health.

Your Committee finds that this measure is intended to increase the number of providers available to serve Medicaid beneficiaries.

Your Committee has amended this measure by:

- (1) Deleting language that would have required any provider that is awarded a contract to provide health and human services by a purchasing agency to be a qualified Medicaid provider;
- (2) Inserting language requiring purchasing agents to give a preference to an applicant that is a qualified Medicaid provider;
- (3) Specifying that if two otherwise equally qualified applicants are seeking the same purchases of services contract, the purchasing agency shall select the applicant who is a qualified Medicaid provider;
- (4) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 730, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 730, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 417 Health, Human Services, & Homelessness on H.B. No. 986

The purpose of this measure is to ensure that timely diagnostic audiologic evaluation results on newborns who did not pass newborn hearing screening evaluations, or infants whose hearing status changes, are provided to the Department of Health.

Your Committee received testimony in support of this measure from the Department of Health, Disability and Communication Access Board, Executive Office on Early Learning, State Council on Developmental Disabilities, and Early Childhood Action Strategy.

Your Committee finds that allowing the State Newborn Hearing Screening Program to routinely access diagnostic hearing test results will lead to increased surveillance of infants who fail newborn hearing screenings and those who are confirmed with hearing loss, thus enabling these infants and children to receive early intervention services.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 986, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 986, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 418 Health, Human Services, & Homelessness on H.B. No. 987

The purpose of this measure is to increase early identification of children with hearing or vision loss by establishing consistent protocols for screening and follow-up, screener training, and data collection and reporting.

Your Committee received testimony in support of this measure from the Department of Health, Executive Office on Early Learning, Disability Communication Access Board, State Council on Developmental Disabilities, Early Childhood Action Strategy, and one individual.

Your Committee finds that improving hearing and vision screening services for children will improve the early identification of children with hearing or vision loss. Your Committee further finds that early identification of vision and hearing loss, with appropriate follow-up services, is critical for the development of children's development of language and communication skills.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 987, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 987, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 419 Health, Human Services, & Homelessness on H.B. No. 1113

The purpose of this measure is to:

- (1) Reclassify the Donations for Social Services Trust Account from a trust account to a trust fund; and
- (2) Abolish the Kahikolu Ohana O Waianae Project Trust Fund.

Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that the Donations for Social Services Trust Account does not meet the criteria of a trust account because it functions more like a trust fund. Your Committee further finds that Kahikolu Ohana O Waianae Project Trust Fund no longer serves the purposes for which it was originally established.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1113 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 420 Energy & Environmental Protection on H.B. No. 1102

The purpose of this measure is to prohibit the intentional release of balloons inflated with a gas that is lighter than air.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Reef and Ocean Coalition, Beach Environmental Awareness Campaign Hawai'i, Surfrider Foundation, five individuals, and a petition signed by numerous individuals. Your Committee received comments on this measure from The Balloon Council.

Your Committee finds that the release of balloons inflated with lighter-than-air gases poses a danger and nuisance to the environment, particularly to wildlife and marine animals. Many animals mistake the balloons for food, which can cause severe injury or death. This measure ensures the protection and well-being of wildlife in the State by prohibiting the release of balloons inflated with lighter-than-air gases.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1102, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1102, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 421 Energy & Environmental Protection on H.B. No. 1333

The purpose of this measure is to require and appropriate funds for the Hawaii State Energy Office, in consultation with the Department of Health, to conduct a comprehensive study to determine best practices for disposal and recycling of discarded clean energy products in the State.

Your Committee received testimony in support of this measure from Zero Waste Big Island and one individual. Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee finds that solar panels have a life expectancy of up to thirty years and panels installed in the 1990s will start requiring disposal in the very near future. Heavy metals such as cadmium and lead are found in solar cells, which can harm the natural environment if not recycled or disposed of properly. This measure ensures that the best practices for proper disposal and recycling of discarded clean energy products can be adopted to prevent excess waste and harm to the environment.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1333, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1333, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 422 Energy & Environmental Protection on H.B. No. 1022

The purpose of this measure is to:

- (1) Clarify that any police officer or agent of the Department of Land and Natural Resources upon whom the Board of Land and Natural Resources has conferred police powers may, in the performance of their primary duties, inspect certain items for compliance, under certain conditions; and
- (2) Establish penalties for refusal to comply with inspection requests.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; For the Fishes; Kua‘āina Ulu ‘Auamo; The Nature Conservancy, Hawai‘i; Kauhako Ohana Association; and six individuals. Your Committee received testimony in opposition to this measure from the Hawaii Fishermen's Alliance for Conservation and Tradition, Inc.; Hawaii Fishing News; and four individuals. Your Committee received comments on this measure from the Department of the Attorney General, Office of Hawaiian Affairs, and one individual.

Your Committee finds that it has been difficult for Department of Land and Natural Resources Division of Conservation and Resources Enforcement officers to enforce fishing and hunting violations due to legal issues regarding bag and container inspections. This measure provides the limited inspection authority necessary to adequately protect the natural and cultural resources of the State.

Your Committee has amended this measure by:

- (1) Inserting findings relating to the intent of this measure, including the challenges of regulating the extraction of natural resources in the State;
- (2) Clarifying the scope and conditions in which a conservation and resources enforcement officer may stop and temporarily detain any person to review licenses, permits, or related documents and inspect wildlife or aquatic life in that person's possession if the officer reasonably believes is, or recently has been, engaged in the act of hunting or fishing;
- (3) Specifying that natural resource inspections conducted by a conservation and resources enforcement officer shall be conducted within a reasonable distance from the environment from which the fishing or hunting took place, under certain conditions;
- (4) Specifying administrative fines for refusal to comply with natural resource inspections;
- (5) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1022, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1022, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 423 Energy & Environmental Protection on H.B. No. 331

The purpose of this measure is to:

- (1) Establish objectives, policies, and priority guidelines in the Hawaii State Planning Act to promote the use of green infrastructure, vegetation, and trees in state facility systems, infrastructure, and transit projects; and
- (2) Require the Office of Planning, in partnership with the Greenhouse Gas Sequestration Task Force, to report to the Legislature with recommendations for implementing the green infrastructure objectives, policies, and priority guidelines.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Office of Planning, Environmental Caucus of the Democratic Party of Hawai‘i, 350Hawaii, Climate Protectors Coalition, Trees for Honolulu's Future, and five individuals.

Your Committee finds that sustainable design concepts for public infrastructure incorporate green vegetation and trees, which can produce significant improvements to mental health and have positive psychological and quality of life benefits in a community. This measure ensures the establishment of critical ecosystem services in the State and demonstrates the State's commitment toward a zero emissions clean economy by 2045.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 331, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Hashem, Tokioka).

SCRep. 424 Energy & Environmental Protection on H.B. No. 1060

The purpose of this measure is to:

- (1) Exempt the State, and its departments and agencies, from county stormwater user fees; and
- (2) Prohibit a county from denying services to the State or its departments and agencies by reason of nonpayment of user fees.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received testimony in opposition to this measure from the Department of Facility Maintenance of the City and County of Honolulu, County of Maui Department of Public Works, Roth Ecological Design Intl., Ulupono Initiative, Hawai‘i Community Foundation, and eight individuals.

Your Committee finds that while it is important to encourage best practices and infrastructure investment by the counties to capture and retain rainfall for potable water before it becomes stormwater run-off, it is also beneficial to the State to provide exemptions from stormwater management fees for certain state facilities. This measure frees up additional resources for the State, while continuing to provide support for the counties in their efforts to protect and enhance groundwater, streams, and near-shore environments.

Your Committee has amended this measure by:

- (1) Specifying that only state airports and harbors shall be exempt from county stormwater user fees;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1060, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1060, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Hashem, Tokioka).

SCRep. 425 Energy & Environmental Protection on H.B. No. 901

The purpose of this measure is to amend the environmental impact statement law to delete references to discretionary permits in allowing infrastructure improvements within a highway or public right-of-way to be exempt from environmental assessment requirements.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Transportation; and Office of Planning. Your Committee received testimony in opposition to this measure from Life of the Land and three individuals. Your Committee received comments on this measure from the Office of Environmental Quality Control.

Your Committee finds that infrastructure improvements, such as connecting a water or sewer line to a highway, or making a roadway connection to a public right-of-way, should not be the sole basis for triggering an environmental impact assessment, regardless of whether a discretionary consent is involved. This measure will save time and eliminate costs associated with preparing an environmental impact statement in certain circumstances and allow government entities to prioritize and review other projects as part of the environmental impact assessment process.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 901, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 901, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, 1 (Perruso). Excused, none.

SCRep. 426 Water & Land/Energy & Environmental Protection on H.B. No. 243

The purpose of this measure is to coordinate state responsibilities for executive branch departments in addressing climate change and sea level rise adaptation by requiring each department to:

- (1) Identify existing and planned facilities that are vulnerable to sea level rise, flooding impacts, and natural hazards;
- (2) Assess options for mitigation impacts of sea level rise to existing and planned facilities;
- (3) Establish staff level points of contact to improve interagency coordination for sea level rise adaptation, flooding, and resilience; and
- (4) Submit annual reports to the Governor, Legislature, and Hawaii Climate Change Mitigation and Adaptation Commission.

Your Committees received testimony in support of this measure from the Department of Accounting and General Services, Hawaii Climate Change Mitigation and Adaptation Commission, League of Women Voters of Hawaii, Hawai'i Reef and Ocean Coalition, Sierra Club of Hawai'i, Environmental Caucus of the Democratic Party of Hawai'i, and three individuals.

Your Committees find that climate change and sea level rise pose significant, dangerous, and imminent threats to the State's social and economic well-being, public safety, nature and environments, cultural resources, property, infrastructure, and government functions and will likely have a disproportionate impact on low-income and otherwise vulnerable communities. Chronic impacts of sea level rise, including coastal erosion, high tide flooding, and annual high wave flooding, are already impacting many low-lying coastal areas and are predicted to increase in extent and severity in the coming decades. This measure requires the State to prepare for sea level rise by utilizing the Hawaii Sea Level Rise Vulnerability and Adaptation Report and State of Hawaii Hazard Mitigation Plan.

Your Committees have amended this measure by:

- (1) Clarifying that each department shall utilize the latest projections and map data endorsed by the Hawaii Climate Change Mitigation and Adaptation Commission and State of Hawaii Hazard Mitigation Plan in their identification of existing and planned facilities;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Water & Land and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 243, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 243, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Water & Land: Ayes, 7. Noes, none. Excused, 1 (McDermott).

Energy & Environmental Protection: Ayes, 6. Noes, none. Excused, 2 (Hashem, Tokioka).

SCRep. 427 Water & Land on H.B. No. 1148

The purpose of this measure is to authorize the Board of Land and Natural Resources to adopt, amend, and repeal administrative fees, without regard to chapter 91, Hawaii Revised Statutes, for the various divisions within the Department of Land and Natural Resources by formal board action at a publicly noticed meeting.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual. Your Committee received comments on this measure from the Ocean Tourism Coalition, HFACT, and one individual.

Your Committee finds that the current process for implementing fee schedules through chapter 91, Hawaii Revised Statutes, does not allow for changes to fee structures in response to rapidly-shifting economic conditions or changing environmental, social, and community circumstances that are addressed and managed by the Department of Land and Natural Resources. This measure will provide the Department with the flexibility it needs while still providing transparency and public engagement as required for Board of Land and Natural Resources' meetings under the State's open meeting law requirements.

Your Committee has amended this measure by:

- (1) Clarifying that all Department of Land and Natural Resources fees established by rule at or prior to the date of enactment of this measure may be deleted by rule and adopted as an approved administrative fee schedule without the need to comply with the requirements of chapter 91, Hawaii Revised Statutes;
- (2) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

Your Committee urges the Department of Land and Natural Resources to consult with the Small Business Regulatory Review Board before increasing any administrative fees under the system proposed in this measure.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1148, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1148, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 428 Water & Land on H.B. No. 834

The purpose of this measure is to require the Department of Land and Natural Resources, in collaboration with the County of Hawaii, to conduct site surveys to identify possible locations for black cinder cone quarries on the island of Hawaii.

Your Committee received testimony in support of this measure from the University of Hawai'i System; County of Hawai'i; Hawaii Floriculture and Nursery Association; Puna Rock Co., Ltd.; and three individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that the use of state resources for research and selection of new black cinder cone quarry sites can facilitate economic recovery on Hawaii Island by assisting industries that use large quantities of black cinder or that assist in its distribution, including plant nurseries, coffee farms, flower farms, ornamental industry, horticultural industry, landscaping industry, residential and commercial construction, and merchants and wholesalers.

Your Committee has amended this measure by:

- (1) Specifying that the Department of Land and Natural Resources, in collaboration with the County of Hawaii, shall conduct site surveys to identify the most suitable locations, rather than possible locations;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance hear this measure, your Committee respectfully requests that it insert an appropriation amount of \$150,000 for overhead expenses and the procurement of a geologist, mineralogist, or other specialist as a consultant on the project.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 834, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 834, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 429 Water & Land on H.B. No. 774

The purpose of this measure is to:

- (1) Establish the Pulehunui Community Development Authority as an autonomous community development authority under the Hawaii Community Development Authority for the purposes of developing the Pulehunui Community Development District; and
- (2) Authorize the Hawaii Community Development Authority to obtain various forms of federal funding for construction, maintenance, and development projects in the Pulehunui Community Development District.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, Department of Public Safety, Department of Accounting and General Services, Department of Land and Natural Resources, Hawaii Community Development Authority, one member of the Maui County Council, and one individual.

Your Committee finds that developing the public lands in Pulehunui, Maui, to provide suitable recreational, residential, educational, industrial, governmental, and commercial areas where the public can live, congregate, recreate, attend schools, and shop as part of an integrated community is in the public interest.

Your Committee has amended this measure by:

- (1) Clarifying the governing policies of the Pulehunui Community Development Authority with respect to the preservation of archaeological, historical, and cultural sites and the protection of endangered species of flora and fauna;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 774, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 774, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 430 Water & Land on H.B. No. 486

The purpose of this measure is to enable government agencies to maintain roads whose ownership or jurisdiction is in dispute between the State and the counties by:

- (1) Specifying that the maintenance or repair of disputed roads by any agency shall not be deemed to be an indication that the agency has assumed ownership or jurisdiction of the disputed road; and
- (2) Authorizing the State to transfer ownership of roads in favor of counties by quitclaim if requested by the county.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that many roads in the State remain in disrepair due to unclear jurisdictional authority or ownership of those roads between the State and counties. As such, many roads are unmaintained and unsafe for drivers. This measure would allow a government agency to maintain or repair a road, without requiring that agency to claim jurisdiction or ownership of that road, thereby giving these agencies an incentive to maintain or repair these roads without the inference of ownership.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 486, H.D. 1, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 431 Water & Land on H.B. No. 77

The purpose of this measure is to exempt the sale of the leased fee interest in certain affordable leasehold developments by the Hawaii Housing Finance and Development Corporation from legislative approval.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance Development Corporation. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

Your Committee finds that this measure is necessary to lessen the cost and burden in having to seek legislative approval of the sale of the leased fee interest in state-owned land. The exemption from legislative approval proposed by this measure facilitates a process that expedites the development of affordable housing in the State.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 77, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 432 Water & Land on H.B. No. 1130

The purpose of this measure is to:

- (1) Require the Office of Planning to hire a contractor to, among other things, identify and assess alternative financing, project delivery, and cost recovery mechanisms to recapture the State's upfront investment in transit-oriented development infrastructure;
- (2) Require the contractor to consult with representatives of certain government entities;
- (3) Require the Office of Planning to report to the Legislature on its findings and recommendations; and
- (4) Appropriate funds.

Your Committee received testimony in support of this measure from the Office of Planning and Hawaii Interagency Council for Transit-Oriented Development.

Your Committee finds that infrastructure deficits are one of the biggest barriers to achieving transient-oriented development potential statewide. Funding for infrastructure investments needed in designated transient-oriented development areas was already constrained prior to the COVID-19 pandemic. Your Committee further finds that potential financing mechanisms were explored in a 2020 study by the Office of Planning, which assessed options for needed infrastructure improvements in three of the State's transient-oriented development priority areas along the rail corridor on Oahu, and further analysis is now required to refine the appropriate tools and actions for financing and cost-sharing of transient-oriented development infrastructure investments.

Your Committee also finds that this measure would provide an avenue for the State and counties to collaborate on solutions to pay for and build infrastructure capacity that facilitates transient-oriented development in compact, mixed-use communities integrated with public transit.

Your Committee has amended this measure by 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1130, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1130, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 433 Water & Land on H.B. No. 1352

The purpose of this measure is to require the Office of Planning to submit a report to the Legislature containing the following:

- (1) An inventory of federally controlled state lands, to be prepared by the Department of Land and Natural Resources;
- (2) Any known contaminants or environmental hazards on the inventoried lands based on past environmental studies, to be prepared by the Department of Health in consultation with the Environmental Protection Agency;
- (3) Input from departments and agencies on proposed alternative uses for the lands; and
- (4) Its findings and recommendations, including any proposed legislation, based on the information above.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Environmental Caucus of The Democratic Party of Hawaii, and eleven individuals.

Your Committee finds that this measure directs concrete steps to be taken toward compiling the information needed as a precursor to remediation and restoration efforts and alternative uses for federally controlled state lands.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1352, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 434 Water & Land on H.B. No. 502

The purpose of this measure is to enable greater opportunities to provide housing in the State by allowing the counties to adopt ordinances that allow for increased dwelling density in certain rural districts.

Your Committee received testimony in support of this measure from the Hawaii Association of REALTORS.

Your Committee finds that this measure will provide the counties with some flexibility in addressing their housing shortage by authorizing ordinances that would allow for one dwelling house to be constructed on one-quarter acre in rural districts, rather than one dwelling house per one-half acre. Your Committee further finds that protections are afforded by the requirement of consistency with the county general plan and associated community plans.

Your Committee has amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 502, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 502, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 435 Economic Development on H.B. No. 1045

The purpose of this measure is to revise the manner in which a person authorized to collect rent provides information to the Department of Taxation by specifying conditions and penalties.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that existing state law requires persons who collect rent on behalf of property owners to provide the Department of Taxation with information regarding the owner. However, there are no penalties for failing to comply. This measure provides the Department of Taxation with additional tools to help monitor and enforce compliance with reporting requirements.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1045, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1045, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 436 Economic Development on H.B. No. 1184

The purpose of this measure is to exempt the sale of precious metal bullion from the general excise tax.

Your Committee received testimony in support of this measure from the Industry Council for Tangible Assets, Inc.; Foundation for the Advancement of Monetary Education, Ltd.; Sound Money Defense League; Liberty Coin Service; and two individuals. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that previous metal bullion, such as gold and silver, have a major distinction from other tangible assets that are subject to sales and use tax in that they are not consumed, but acquired as collectibles or investments to be sold. This measure removes the disincentives for residents who choose to hold onto gold and silver for these purposes.

Your Committee notes the request in testimony from the Department of Taxation to postpone the effective date of this measure to January 1, 2022, to provide the Department with time to make the necessary forms, instructions, and computer system changes.

Your Committee has amended this measure by:

- (1) Clarifying the definition of "precious metal bullion" to apply to coins, bars, or rounds minted primarily of refined gold or silver; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1184, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1184, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 437 Economic Development on H.B. No. 1388

The purpose of this measure is to:

- (1) Eliminate the home mortgage interest deduction for second homes under the State's Hawaii income tax law; and
- (2) Require the amount of state revenue gained by eliminating the deduction to be deposited into the Rental Housing Revolving Fund.

Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS. Your Committee received comments on this measure from the Department of Taxation, Hawaii Housing Finance and Development Corporation, Tax Foundation of Hawaii, and Grassroot Institute of Hawaii.

Your Committee finds that Hawaii is currently experiencing a housing shortage in which there are not enough homes to meet demand. By removing the homeowners interest deduction for second homes, this measure encourages those who own second homes to sell those homes, which would increase the housing supply for Hawaii residents who could use the home as their primary residence.

Your Committee has amended this measure by:

- (1) Deleting provisions that would have deposited the amount of state revenue gained by eliminating the home mortgage interest deduction for second homes into the Rental Housing Revolving Fund;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1388, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1388, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Okimoto). Noes, none. Excused, 1 (Belatti).

SCRep. 438 Economic Development on H.B. No. 59

The purpose of this measure is to repeal, abolish, or reclassify various non-general funds of the Department of Business, Economic Development, and Tourism.

Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; Hawaii State Energy Office; Hawaii Technology Development Corporation; and Tax Foundation of Hawaii.

Your Committee finds that this measure implements some of the recommendations made by the Auditor. Repealing funds that no longer serve their intended purpose or no longer have activity promotes transparency in government finances, increases budgetary flexibility, improves government efficiency, and enhances government accountability.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 59, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 59, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 439 Economic Development on H.B. No. 1273

The purpose of this measure is to require the Department of Business, Economic Development, and Tourism to make a public disclosure identifying the names of the taxpayers who are receiving certain tax credits and the total amount of tax credits received for specific economic activities.

Your Committee received comments on this measure from the Department of Taxation; Department of Business, Economic Development, and Tourism; and Tax Foundation of Hawaii.

Your Committee finds that public disclosure and access to the tax credits that are being claimed by taxpayers each year will help to further identify how public monies are being consumed and what activities are tax-favored by the State. Consolidated tax data on the amount of certain tax credits claimed will also aid in decision making and further transparency. Such information and details will also help policymakers in determining social tax policies going forward and how best to use a finite amount of public resources, especially during times of economic recession.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1273, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1273, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 440 Economic Development on H.B. No. 862

The purpose of this measure is to abolish the Office of Aerospace Development, Aerospace Advisory Committee, Hawaii Unmanned Aerial Systems Test Site Advisory Board, and Pacific International Space Center for Exploration Systems.

Your Committee received testimony in opposition to this measure from the Department of Business, Economic Development, and Tourism; Pacific International Space Center for Exploration Systems; Hawaii Island Economic Development Board, Inc.; Challenger Center Hawaii; International MoonBase Alliance; and seventeen individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that while Hawaii plays an important role in the development of the aerospace industry, given the current economic situation in the State, it is critical for the State to consider reallocating its limited resources by eliminating certain state agencies. While recognizing the need to reallocate resources, your Committee also recognizes the vital role that the Pacific International Space Center for Exploration Systems plays in facilitating aerospace economic development projects, workforce development, and outreach programs.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting language that:
 - (A) Abolishes the Office of Aerospace Development, Aerospace Advisory Committee, and the Hawaii Unmanned Aerial Systems Test Site Advisory Board; and
 - (B) Makes conforming amendments associated with the Pacific International Space Center for Exploration Systems; and
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 862, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 862, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Sayama, Okimoto). Noes, none. Excused, 1 (Belatti).

SCRep. 441 Economic Development on H.B. No. 593

The purpose of this measure is to expand the definition of "beer" to specify an alcohol by volume of no less than 0.5 percent and to include alcoholic seltzer beverages.

Your Committee received testimony in support of this measure from Maui Brewing Co., Hawaiian Craft Brewers Guild, Lanikai Brewing Company, Honolulu Beerworks, Kauai Beer Company, Kaua'i Island Brewing Company, Koholā Brewery, and two individuals. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the existing statutory definition of "beer" is limited and does not adequately represent the unique aspects of craft beer ingredients that brewers use to develop new products and new offerings. This measure will help foster the creation of new and unique styles of beer that are well-suited for the inclusion of Hawaii-grown agricultural products.

Your Committee notes the request in testimony from the Department of Taxation to postpone the effective date of this measure to January 1, 2022, to provide the Department with time to make the necessary forms, instructions, and computer system changes.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 593, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 593, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 442 Economic Development on H.B. No. 1176

The purpose of this measure is to establish and appropriate funds for a State Job Corps Program within the Department of Business, Economic Development, and Tourism to help address unemployment impacts of the COVID-19 pandemic and support economic diversification.

Your Committee received testimony in support of this measure from the Department of Research and Development of the County of Hawaii, International Longshore & Warehouse Union Local 142, Kupu, Hawaii Island Economic Development Board, Chamber of Commerce Hawaii, HPM Building Supply, Think BIG Coalition, Kalapana Seaview Estates Community Association, and eight individuals. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that the COVID-19 pandemic has placed tens of thousands of residents out of work, increasing Hawaii's rate of unemployment to among the highest in the nation. This measure provides a unique opportunity to build a more resilient, equitable, and diversified economy and highlights the need for increased and diverse workforce development initiatives.

Your Committee has amended this measure by:

- (1) Specifying that the State Jobs Corp Program shall be established within the Department of Labor and Industrial Relations, rather than the Department of Business, Economic Development, and Tourism;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1176, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1176, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Onishi). Noes, none. Excused, 1 (Belatti).

SCRep. 443 Agriculture on H.B. No. 96

The purpose of this measure is to increase the maximum area for each agricultural shade cloth structure, cold frame, or greenhouse not used as a dwelling or lodging unit, that qualifies the structure for exemption from building permit and building code requirements.

Your Committee received testimony in support of this measure from the Department of Agriculture, University of Hawaii College of Tropical Agriculture and Human Resources, Hawaii Cattlemen's Council, Ulupono Initiative, Hawaii Farming LLC, Big Island Produce Asset Holdings LLC, Hawaii Farm Bureau, and Aloun Farms.

Your Committee finds that increasing the square footage in area per agricultural shade cloth structure, cold frame, and greenhouse that qualifies for exemption from building permit and building code requirements provides more flexibility in the types of structures used for agricultural purposes. Broadening the exemption to encompass certain larger agricultural structures will aid in furthering agricultural production and development in the State.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 96 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 444 Agriculture on H.B. No. 100

The purpose of this measure is to increase the freight import fee to provide additional funding for programs to inspect, quarantine, prevent, and mitigate the impacts of invasive species in Hawaii.

Your Committee received testimony in support of this measure from the Coordinating Group on Alien Pest Species, Hawaii Farm Bureau, and Ulupono Initiative. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Agriculture and Tax Foundation of Hawaii.

Your Committee finds that under existing law, a freight import fee is collected on shipments arriving into the State via water. This fee has proven a reliable source of steady funds to supplement general funds for the crucial inspection and quarantine services performed by the Department of Agriculture. Your Committee acknowledges the concerns raised in testimony that a 2012 ruling by the United States Department of Transportation found that the State cannot make airlines or the air cargo import companies collect or remit import fees. However, as also mentioned in testimony, the United States Department of Transportation ruling did not rule against the State charging and collecting the fee on the air cargo itself.

Your Committee therefore finds that amendments to this measure are necessary to address these concerns and ensure that invasive species are caught and eradicated regardless of the means the species arrives in Hawaii.

Your Committee has amended this measure by:

- (1) Beginning on July 1, 2022, establishing an Air Cargo Pest Inspection, Quarantine, and Eradication Fee, to be assessed on each air carrier delivering air cargo into the State;
- (2) Establishing the Air Cargo Pest Inspection, Quarantine, and Eradication Fund, to be used solely by the Department of Agriculture's Air Cargo Inspection Program;
- (3) Clarifying that the Inspection, Quarantine, and Eradication Service Fee and Charge excludes air freight;
- (4) Changing the Inspection, Quarantine, and Eradication Service Fee and Charge to an unspecified amount;
- (5) Requiring the Auditor to conduct an analysis on the Air Cargo Pest Inspection, Quarantine, and Eradication Fee; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Finance, should it choose to deliberate on this measure to examine whether the objectives of this measure may be accomplished through general fund expenditures. Your Committee further respectfully requests your Committee on Finance to examine and review the expenditure ceiling for the Pest Inspection, Quarantine, and Eradication Fund.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 100, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 100, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 445 Agriculture on H.B. No. 237

The purpose of this measure is to appropriate funds to the Department of Agriculture for the mitigation and control of the two-lined spittlebug and fund recovery efforts.

Your Committee received testimony in support of this measure from the Department of Agriculture; University of Hawai'i System; Hawaii Cattlemen's Council, Inc.; Larry Jeffs Farms, LLC; McCandless Ranch; Hawaii Farm Bureau; Parker Ranch, Inc.; Ulupono Initiative; Land Use Research Foundation of Hawaii; Maui Cattlemen's Association, Inc.; Hawaii Meats, LLC; Local Food Coalition; Ulupalakua Ranch, Inc.; F Ranch, LLC; and twelve individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the two-lined spittlebug is an invasive insect that attacks key forage grasses used by the livestock ranching industry. In 2016, the State's first two-lined spittlebug infestation was discovered in Kailua-Kona, on the Island of Hawaii, where the pest had damaged nearly two thousand acres of pasture land. Many high-quality pasture grasses, including Bracharia, Kikuyu, Pangola, St. Augustine, and Bermuda, are susceptible to two-lined spittlebug attacks. During heavy infestations, dying plant tissue cascades from the leaves to the roots, ultimately causing the death of the whole plant. The resulting damage does not allow for any regrowth, requiring ranchers to totally replant affected pastures.

Your Committee has amended this measure by:

- (1) Correcting the name of the special fund to the Pest Inspection, Quarantine, and Eradication Fund; and
- (2) 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 237, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 237, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 446 Agriculture on H.B. No. 1375

The purpose of this measure is to extend the authorization to issue special purpose revenue bonds to assist MauiGrown Coffee, Inc., with the operation and expansion of its farm and mill.

Your Committee received testimony in support of this measure from the Maui Chamber of Commerce and MauiGrown Coffee, Inc.

Your Committee finds that agriculture and the manufacturing of value-added products are assets to economic diversification in the State. This measure will help to continue the building and growth of the coffee industry on Maui.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1375 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 447 Housing on H.B. No. 208

The purpose of this measure is to require sellers of buildings or structures that are wholly or partially occupied for residential purposes to equip the buildings or structures with approved smoke alarms in accordance with existing state or county building or residential codes.

Your Committee received testimony in support of this measure from the Hawaii State Fire Council and Honolulu Fire Department. Your Committee received comments on this measure from the Hawai'i Association of REALTORS.

Your Committee finds that according to the 1994 Uniform Building Code adopted by Hawaii, residents are required to install smoke detectors in all new and renovated dwelling units. Your Committee further finds that smoke alarms that are properly installed and maintained play a vital role in reducing fire deaths and injuries. The smoke alarm requirement proposed by this measure will provide a reasonable degree of safety to occupants.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 208, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 208, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 448 Housing on H.B. No. 272

The purpose of this measure is to:

- (1) Make condominium laws regarding sales to owner-occupants inapplicable to time share units; and
- (2) Increase the minimum percentage of residential units in a condominium project that must be offered for sale to prospective owner-occupants in the thirty-day period following the initial date of sale of the condominium from fifty percent to ninety percent.

Your Committee received testimony in support of this measure from the Hawaii Council for Associations of Apartment Owners. Your Committee received comments on this measure from Associa.

Your Committee finds that this measure would address certain housing needs for Hawaii residents by increasing the amount of residential unit stock available for sale to prospective owner-occupants.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 272, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 272, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 449 Housing on H.B. No. 606

The purpose of this measure is to authorize the issuance of general obligation bonds and appropriate funds for fiscal year 2021-2022 to be deposited into the Dwelling Unit Revolving Fund and Rental Housing Revolving Fund.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Catholic Charities Hawai'i, Partners in Care, AARP Hawai'i, Hawai'i Association of REALTORS, and two individuals.

Your Committee finds that the Dwelling Unit Revolving Fund was established in 1970 to carry out the Housing Development Program. The Rental Housing Trust Fund, established in 1992, was established to assist very low- and low-income families and individuals, including the homeless and special needs groups, in obtaining rental housing. Both funds continue to provide funding mechanisms that support efforts to address the critical shortage of housing in the State.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 606, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 606, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 450 Health, Human Services, & Homelessness on H.B. No. 490

The purpose of this measure is to:

- (1) Lower the age at which enhanced penalties apply for crimes against seniors from sixty-two years of age to sixty years of age; and
- (2) Make the commission of certain criminal offenses against a senior's person or property applicable if the perpetrator knows or reasonably should know the senior victim's age.

Your Committee received testimony in support of this measure from the Department of Human Services, Executive Office on Aging, Office of the Prosecuting Attorney of the County of Kauai, Maui Police Department, Department of the Prosecuting Attorney of the County of Maui, Honolulu Police Department, and Macha. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that existing law does not provide adequate protection against the physical, emotional, and financial exploitation of the State's senior citizens. This measure makes certain amendments to more closely align certain Penal Code statutes with common elder abuse scenarios, which will allow law enforcement and prosecutors to respond appropriately.

Your Committee has amended this measure by:

- (1) Adding a savings clause;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 490, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 490, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 451 Health, Human Services, & Homelessness on H.B. No. 980

The purpose of this measure is to broaden the Department of Human Services' right of entry into a vulnerable adult's premises without a warrant for the investigation of any type of abuse, regardless of whether there is a physical injury.

Your Committee received testimony in support of this measure from the Department of Human Services, Executive Office on Aging, and one individual.

Your Committee finds that existing law limits the Department of Human Services' right to enter a vulnerable adult's premises without a warrant only in cases where there is probable cause to believe that a vulnerable adult will be physically injured. However, abuse against vulnerable adults is not limited to physical abuse. Caregiver neglect, self-neglect, and financial exploitation are the most common types of abuse for which injuries are not necessarily visible. This measure will allow the Department of Human Services to act to assess vulnerable adults and initiate investigations in cases where the reported abuse is not physical in nature.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 980, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 980, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 452 Water & Land/Energy & Environmental Protection on H.B. No. 1008

The purpose of this measure is to clarify conditions that must be met by applicants to receive funds under the Forest Stewardship Program.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Reef and Ocean Coalition, and one individual.

Your Committees find that the Forest Stewardship Program provides technical and financial assistance to private landowners in managing, protecting, and restoring Hawaii's forested lands. This measure will allow long-term leaseholders to participate in the program, increase cost-share support for eligible lands, and clarify that production of non-timber forest products is allowed under the program.

Your Committees have amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Water & Land and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1008, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1008, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Water & Land: Ayes, 7. Noes, none. Excused, 1 (McDermott).

Energy & Environmental Protection: Ayes, 6. Noes, none. Excused, 2 (Hashem, Tokioka).

SCRep. 453 Water & Land/Energy & Environmental Protection on H.B. No. 1027

The purpose of this measure is to:

- (1) Establish the Marine Life Conservation District Special Fund for the collection and use of monies for the management, protection, restoration, and enhancement of the State's marine life conservation districts and the resources contained within; and
- (2) Authorize the Department of Land and Natural Resources to collect fees for the use of marine life conservation districts and the resources contained within.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, and two individuals. Your Committees received testimony in opposition to this measure from two individuals. Your Committees received comments on this measure from the Friends of Hanauma Bay, Hawaii Reef and Ocean Coalition, and Ocean Tourism Coalition.

Your Committees find that the broad range of recently documented anthropogenic impacts to the health of marine life conservation districts' ecosystems, including coral bleaching, vessel groundings, anchoring and mooring, diving activities, land-based and water-based pollutant discharges, and other direct and indirect impacts on the State's marine resources, indicate that the Department of Land and Natural Resources may need a more consistent and reliable source of funding to manage, protect, and restore marine resources throughout the State.

Your Committees further find, however, that the Hanauma Bay Marine Life Conservation District already collects admission fees and concession revenues that are deposited into the City and County of Honolulu's Hanauma Bay Nature Preserve Fund, pursuant to Chapter 6, Article 51 of the Revised Ordinances of Honolulu. Federal court rulings upholding those fees require that they be spent only at Hanauma Bay.

Accordingly, your Committees have amended this measure by:

- (1) Carving out fees generated at or for the Hanauma Bay Marine Life Conservation District from fees generated in connection with other marine life conservation districts to enable the Hanauma Bay-related fees to be spent only for Hanauma Bay;
- (2) With respect to the Marine Life Conservation District Special Fund, allowing monies received from the counties to be deposited and accounted for in accordance with conditions established by the county;
- (3) Making the Department of Land and Natural Resources' authority to adopt rules to establish fees or require permits for entry into the boundaries of any marine life conservation district established by chapter 190, Hawaii Revised Statutes, apply only to marine life conservation districts to which public access is managed by a county with a population of 500,000 or more and for which a fee is charged for public access; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Water & Land and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1027, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1027, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Water & Land: Ayes, 7. Noes, none. Excused, 1 (McDermott).

Energy & Environmental Protection: Ayes, 6. Noes, none. Excused, 2 (Hashem, Tokioka).

SCRep. 454 Labor & Tourism on H.B. No. 1282

The purpose of this measure is to:

- (1) Begin the transfer of the Oahu Regional Health Care System in its entirety from the Hawaii Health Systems Corporation to the Department of Health;
- (2) Authorize the Department of Health to conduct long-term care and substance abuse treatment at Leahi Hospital and Maluhia and to pay rent for the use of the Leahi Hospital property;
- (3) Require the Department of Health to consult with the University of Hawaii regarding programs at Leahi Hospital and Maluhia and allow University of Hawaii students to rotate through those facilities for training purposes;
- (4) Enable the Oahu Regional Health Care System, Department of Health, Hawaii Health Systems Corporation, and other state agencies to implement the processes required to complete the transition;
- (5) Clarify the rights, powers, and exemptions of the Oahu Regional System Board during the transition period of the Oahu Regional Health Care System into the Department of Health, and the rights, powers, and exemptions of the Inpatient Services Division of the Department of Health after the transition is complete;
- (6) Authorize the issuance of general obligation bonds for improvements to Leahi Hospital and Maluhia; and
- (7) Appropriate funds from the Mental Health and Substance Abuse Special Fund to operate Leahi Hospital and Maluhia.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Health Systems Corporation, and University of Hawai'i System. Your Committee received comments on this measure from the Department of the Attorney General and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that, unlike the Hawaii Health System Corporation's neighbor island facilities, which generally serve as the primary acute care providers for their respective communities, the Oahu Regional Health Care System care facilities almost exclusively provide safety-net, long-term care and adult-day health services to patients who are unable to find much-needed care in private facilities. Your Committee further finds that the Oahu Regional Health Care System care facilities provide care for incarcerated inmates released for compassionate care and psychiatric patients from the Hawaii State Hospital who have significant long-term care needs. The transfer will ensure the continued availability of long-term care beds for the State's aging population and facilitate more efficient use of the facilities at Leahi Hospital and Maluhia.

Your Committee also finds that the Department of Health's Behavioral Health Administration is mandated by statute to assure a comprehensive statewide behavioral health care system by leveraging and coordinating public, private, and community resources. There is a significant gap in the behavioral health care system between acute psychiatric care facilities and low acuity residential treatment. This measure would provide additional pathways and resources for the State to better address behavioral health treatment, helping to break the cycle in and out of hospital emergency departments and relieve pressure on acute care hospital facilities, law enforcement entities, and other systems of care.

Your Committee has amended this measure by:

- (1) Incorporating clarifying amendments recommended by the Department of the Attorney General relating to, among other things, preserving the ability of the Department of Health to pursue layoffs or discipline if necessary; and
- (2) 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1282, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1282, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (D. Kobayashi, Quinlan).

SCRep. 455 Education/Higher Education & Technology on H.B. No. 609

The purpose of this measure is to:

- (1) Authorize remote schools to receive supplemental categorical funding, subject to legislative appropriations, to support instructional and support staff; and
- (2) Appropriate funds for remote schools categorical funding.

Your Committees received testimony in support of this measure from the Department of Education, Hawaii State Teachers Association, and one individual.

Your Committees find that the Reinventing Education Act of 2004 (Act 51, Session Laws of Hawaii 2004) established a weighted student formula to allocate monies to schools according to the different costs of educating students with varying needs with the intention of equitable distribution of funds. However, the weighted student formula has placed small, remote schools at a disadvantage. Your Committees further find that in the case of Hana High and Elementary School, the budgetary shortfall has resulted in the loss of several well-qualified teachers and has threatened the school's ability to offer minimum course requirements for students. For students to take the requisite courses for graduation, those students will have to endure a nearly forty-mile, two-hour drive to the next closest public high school, King Kekaulike High School. This measure ensures that remote schools are funded to retain the minimal personnel and resources necessary to graduate students.

Your Committees have amended this measure by:

- (1) Changing its effective date to July 1, 2050; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Education and Higher Education & Technology that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 609, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 609, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Education: Ayes, 10. Noes, none. Excused, 2 (Belatti, Gates).

Higher Education & Technology: Ayes, 10. Noes, none. Excused, 2 (Belatti, Gates).

SCRep. 456 Education/Higher Education & Technology on H.B. No. 1291

The purpose of this measure is to:

- (1) Allow applicants who graduated from a public high school in the State with a cumulative grade point average of 3.0 and qualified for and received special education services for two or more years during enrollment in grades kindergarten through twelve to be eligible for the Hawaii State Scholars Program;
- (2) Allow students enrolled at a community college campus who graduated from a public high school in the State with a cumulative grade point average of 3.0 and qualified for and received special education services for two or more years during enrollment in grades kindergarten through twelve to be eligible for the Hawaii Community College Promise Program; and
- (3) Require ten percent of available funds for the Hawaii Community College Promise Program to be dedicated for the aforementioned qualifying students.

Your Committees received testimony in support of this measure from the Hawaii State Teachers Association and seventeen individuals. Your Committees received testimony in support of the intent of this measure from the University of Hawai'i System. Your Committees received comments on this measure from one individual.

Your Committees find that there is a massive achievement gap between students in regular education and special education in public schools. Your Committees further find that to drive excellence and prepare our students to be college, career, and world ready, allocating scholarship funds to targeted students would ensure students with special needs have access to post high school education and the possibility of a better personal and professional life in the State. Your Committees believe that this measure will expand the opportunities available to enhance the lives of students with special needs.

Your Committees have amended this measure by:

- (1) Removing the provision requiring ten percent of available funds for the Hawaii Community College Promise Program be dedicated for the qualifying students who graduated from a public high school in the State with a cumulative grade point average of 3.0 and qualified for and received special education services for two or more years during enrollment in grades kindergarten through twelve;
- (2) Changing its effective date to July 1, 2050; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Education and Higher Education & Technology that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1291, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1291, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Education: Ayes, 10. Noes, none. Excused, 2 (Belatti, Gates).

Higher Education & Technology: Ayes, 10. Noes, none. Excused, 2 (Belatti, Gates).

SCRep. 457 Education on H.B. No. 396

The purpose of this measure is to allow nonprofit organizations to establish an applicant governing board and develop a charter application for a start-up or conversion charter school, subject to certain provisions.

Your Committee received testimony in support of this measure from three individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the State Public Charter School Commission.

Your Committee believes that this measure will allow for more opportunities to establish additional charter schools in the State through nonprofit organizations and bring new and innovative methods of education to Hawaii's youth.

Your Committee has amended this measure by changing its effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 396, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 396, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 4 (Belatti, Ohno, Quinlan, Takayama).

SCRep. 458 Education on H.B. No. 443

The purpose of this measure require the Department of Education to conduct a comprehensive cost analysis of the Department's food services and student meals program to make recommendations regarding the ways in which the Department can increase the use of locally grown agricultural products and report to the Legislature on its results.

Your Committee received testimony in support of this measure from the Land Use Research Foundation of Hawaii, Ulupono Initiative, Hawaii Farm Bureau, Hawaii Primary Care Association, Local Food Coalition, Food+ Policy Internship, Hawai'i Public Health Institute, Hawai'i Farm to School Hui, Hawai'i Alliance for Progressive Action, Hawaii Cattlemen's Council, and eight individuals. Your Committee received comments on this measure from the Department of Education and Department of Agriculture.

Your Committee finds that most children in public schools do not eat the daily recommended allowance of fresh fruits and vegetables or whole grains, and their diets include too many empty calories and high sodium levels. This often occurs because local families cannot afford to feed their children nutritious food. Your Committee further finds that many health issues in children are closely related to lack of nutritious food. Your Committee believes that this measure will assist the Department of Education in identifying fresh, locally grown products to be used in student meals.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050; and
- (2) 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 is in accord with the intent and purpose of H.B. No. 443, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 443, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Ohno).

SCRep. 459 Education on H.B. No. 514

The purpose of this measure is to:

- (1) Establish an income tax credit for employers who create on-site early childhood facilities; and
- (2) Establish and appropriate funds for an on-site early childhood facility coordinator position to assist with licensure and accreditation requirements, work with providers, and ensure appropriate facility design of on-site early childhood facilities established by employers in the State.

Your Committee received testimony in support of this measure from Early Childhood Action Strategy; Hawaii Children's Action Network Speaks!; and two individuals. Your Committee received testimony in support of the intent of this measure from the Executive Office on Early Learning and Early Learning Board. Your Committee received comments on this measure from the Department of Taxation, Department of Human Services, and Tax Foundation of Hawaii.

Your Committee finds that the cost of child care in Hawaii is among the highest in the nation, requiring some parents to remain at home with their children because of the high cost of child care. Your Committee further finds that employers who create facilities for early learning education on-site see greater employee retention and performance, lower absenteeism, and a more productive and positive workplace environment. This measure will help parents address concerns of child care costs and provide more opportunities for access to early childhood learning programs by providing an income tax credit for employers who create facilities for early learning education on-site.

Your Committee has amended this measure by:

- (1) Upon the recommendation of the Department of Human Services, applying the income tax credit to the creation of on-site group child care centers, rather than on-site early childhood facilities, and making conforming amendments to change "early childhood facility" to "group child care center";
- (2) Changing its effective date to July 1, 2050; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Finance, should it choose to deliberate on this measure, to examine the technical issues that may be associated with the establishment and implementation of the income tax credit provided by this measure.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 514, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 514, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 4 (Belatti, Ohno, Quinlan, Takayama).

SCRep. 460 Education on H.B. No. 546

The purpose of this measure is to amend the composition of the Early Learning Board to make a representative from Aha Punana Leo a standing member.

Your Committee received testimony in support of this measure from Office of Hawaiian Affairs, Aha Punana Leo, Kupuna for the Mo'opuna, Ke Kula O Nawahiokalaniopuu Iki Lab Public Charter School, Punana Leo o Hilo, Association of Hawaiian Civics Club and numerous individuals. Your Committee received testimony in support of the intent of this measure from the Early Learning Board. Your Committee received comments on this measure from the Executive Office on Early Learning Board.

Your Committee finds that Aha Punana Leo is currently the only provider of Hawaiian immersion statewide that offers programs to infants, toddlers, and preschoolers and that, to date, the Hawaiian medium early learning provider seat on the Early Learning Board has been filled by a representative of Aha Punana Leo. Your Committee further finds that the Hawaiian medium early learning provider seat is limited to two consecutive, two-year terms. Other provisions of state law prevent the Aha Punana Leo representative from serving more than two consecutive terms, which makes it difficult for the board member to develop

and maintain the institutional knowledge and relationships that are necessary to ensure effective advocacy. This measure will remove the Hawaiian medium early learning provider seat and in its place establish the chief executive officer of Aha Punana Leo, or the chief executive officer's designee, as a voting member on the Early Learning Board.

Your Committee has amended this measure by changing its effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 546, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 546, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 4 (Belatti, Ohno, Quinlan, Takayama).

SCRep. 461 Education on H.B. No. 612

The purpose of this measure is to:

- (1) Require the Superintendent of Education, or the Superintendent's designee, to serve as the summer learning coordinator and coordinate all school based programs for children; and
- (2) Require the summer learning coordinator to leverage certain federal funds for school-based summer programs.

Your Committee received testimony in support of this measure from Waipahu Elementary School; Kaho'omiki; Hawaii Children's Action Network Speaks; Hawai'i Afterschool Alliance; After-School All-Stars Hawaii; Hui for Excellence in Education; Parents And Children Together; and seven individuals. Your Committee received testimony in opposition to this measure from the Hawaii State Teachers Association and one individual. Your Committee received comments on this measure from the Department of Education, Department of Human Services, and one individual.

Your Committee finds that learning loss caused by the COVID-19 pandemic needs to be addressed by providing strong support to public school and charter students. Your Committee further finds that the summer months need to be utilized to provide coordinated summer programs that will close student achievement gaps, address student mental health, promote physical activity, and ensure child safety. This measure will provide summer activities that will provide coordinated services that avoid duplication of efforts, strategically leverage federal and state funding, and ensure equity to target the most impacted and vulnerable students.

Your Committee has amended this measure by:

- (1) Removing language specifying the type of federal funds that the summer learning coordinator shall work with the Department of Human Services to leverage; and
- (2) 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 is in accord with the intent and purpose of H.B. No. 612, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 612, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Ganaden, Okimoto). Noes, none. Excused, 2 (Ohno, Quinlan).

SCRep. 462 Education on H.B. No. 702

The purpose of this measure is to require the Department of Education to adopt rules for the procurement of goods and services related to the administration of food programs at public schools that incorporate a geographic preference for unprocessed locally grown and locally raised food products.

Your Committee received testimony in support of this measure from the Land Use Research Foundation of Hawaii, Ulupono Initiative, Hawai'i Farm Bureau, Blue Zones Project, Hawaii Food Industry Association, Local Food Coalition, Hawai'i Primary Care Association, Food+ Policy Internship, Environmental Caucus of the Democratic Party of Hawai'i, Healthy Eating Active Living, Obesity Prevention Task Force, Hawai'i Public Health Institute, Hawai'i Farm to School Hui, Pono Hawai'i Initiative, Hawai'i Alliance for Progressive Action, Hawaii Cattlemen's Council, and numerous individuals. Your Committee received testimony in support of the intent of this measure from the Department of Education. Your Committee received comments on this measure from the Department of Agriculture and State Procurement Office.

Your Committee finds that building farm to school connections can improve student access to healthy, local foods, provide numerous public health benefits, and contribute to the local agricultural industry. Your Committee further finds that procuring local food provides a long-term revenue stream for farmers and other food producers, promotes market diversification, and increases income and economic growth opportunities for individual farmers. Your Committee believes the proposed geographic preference provided by this measure will provide the flexibility that will help increase the purchase of more locally-grown agricultural products.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2051; and
- (2) 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 is in accord with the intent and purpose of H.B. No. 702, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 702, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Ohno).

SCRep. 463 Education on H.B. No. 767

The purpose of this measure is to support the Hawaii Farm to School Program by moving the program from the Department of Agriculture to the Department of Education and establishing a programmatic goal that at least thirty percent of food served in public schools be locally sourced by 2030.

Your Committee received testimony in support of this measure from Blue Zones Project, Land Use Research Foundation of Hawaii, Hawai'i Farm Bureau, Local Food Coalition, Ulupono Initiative, Hawaii Primary Care Association, Food+ Policy Internship, Environmental Caucus of the Democratic Party of Hawai'i, Pono Hawai'i Initiative, Hawaii Cattlemen's Council, and numerous individuals. Your Committee received testimony in support of the intent of this

measure from the Department of Education, Hawai'i Public Health Institute, Hawai'i Farm to School Hui, and Hawai'i 'Ulu Cooperative. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that farm-to-school programs support a nutritious school food environment that encourages students to make healthier choices. Your Committee further finds that setting a target goal of providing a fixed minimum percentage of locally sourced food in public schools can bring the farm to school program closer to achieving tangible results for the health of Hawaii's students.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2051; and
- (2) Making a technical, nonsubstantive amendment 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 is in accord with the intent and purpose of H.B. No. 767, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 767, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Ohno).

SCRep. 464 Education on H.B. No. 791

The purpose of this measure is to establish a state income tax credit for certain expenses incurred by pre-kindergarten through grade 12 teachers, instructors, school librarians, counselors, principals, registrars, or aides in a school.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii State Teachers Association, Democratic Party of Hawai'i Education Caucus, and Parents And Children Together. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that, according to the National School Supply and Equipment Association, public school teachers spend \$1.6 billion of their discretionary income annually on supplementary school supplies and instructional materials. On average, teachers surveyed spent a total of \$485 on school supplies and instructional materials, with more than ten percent annually spending over \$1,000 of personal income. Your Committee believes that, through this measure, an income tax credit will offset expenses paid by teachers to support their classrooms and will help aid teacher recruitment and retention.

Your Committee has amended this measure by:

- (1) Changing the term "qualifying taxpayer" to "eligible educator" and defining "eligible educator" to mean, with respect to any taxable year, an individual who is a pre-kindergarten through twelfth grade teacher, instructor, counselor, principal, or aide in a school for at least nine hundred hours during a school year; and
- (2) Changing its effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 791, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 791, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Ohno, Quinlan).

SCRep. 465 Education on H.B. No. 812

The purpose of this measure is to require and appropriate funds to the Department of Education to establish a three-year pilot program to develop a trauma-informed education program in the Castle, Kailua, and Kalaheo complexes.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network; HawaiiKidsCAN; Democratic Party of Hawai'i Education Caucus; Hawaii Children's Action Network Speaks!; Hawai'i Primary Care Association; and six individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that incorporating trauma-informed education in the State's public education system will help to address adverse childhood experiences and shift the mindset of schools from discipline-oriented to relationship-oriented and from exclusionary practices to inclusionary practices, which can help reduce suspension rates. In the Nanakuli-Waianae complex area, trauma-informed education has been incorporated into its schools and, since 2015, this complex area has seen a reduction in the suspension and absenteeism rates and an increase in graduation and teacher retention rates. This measure will establish a three-year pilot program to develop a similar trauma-informed education program in the Castle, Kailua, and Kalaheo complexes to reduce violence and absenteeism and help students to improve in their academic performance.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050; and
- (2) Making a technical, nonsubstantive amendment 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 is in accord with the intent and purpose of H.B. No. 812, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 812, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Ohno).

SCRep. 466 Education on H.B. No. 1221

The purpose of this measure is to require charter school authorizers to provide a list of approved independent auditors, rather than selecting three independent auditors, from which their respective charter school is to select an independent auditor for its annual financial audit.

Your Committee received testimony in support of this measure from the State Public Charter School Commission and two individuals.

Your Committee finds that the availability of services of auditors selected by the State Public Charter School Commission is limited for neighbor island charter schools. Your Committee further finds that this measure will enable the Commission to reopen its Request for Qualifications process to review and approve additional auditors and increase audit services for neighbor island charter schools.

Your Committee has amended this measure by changing its effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1221, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1221, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 4 (Belatti, Ohno, Quinlan, Takayama).

SCRep. 467 Education on H.B. No. 1294

The purpose of this measure is to require the transfer of non-facility general fund per-pupil allocations of special education students of a Department of Education school to a charter school upon enrollment of the student at the charter school, subject to certain conditions.

Your Committee received testimony in support of this measure from HawaiiKidsCAN, DreamHouse Ewa Beach Public Charter School, and six individuals. Your Committee received testimony in opposition to this measure from the Department of Education.

Your Committee finds that the special education per pupil allocation is an annual process in which special education funds are allocated to individual public schools in the Department of Education. Your Committee further finds that the methodology driving the special education per pupil allocation is based on an assumption that each year, student populations and special education eligible student percentages are relatively stable, but this funding methodology does not account for special education students transferring from a Department of Education school to a charter school, which leads to funding not following the student. This measure seeks to correct the situation where special education funding is lower than the actual enrolled numbers of a charter school.

Your Committee has amended this measure by:

- (1) Requiring that the transfer of any non-facility general fund per-pupil allocation of a special education student of a Department of Education School to a charter school occur upon receipt of the completed intent to enroll form of the student at the charter school;
- (2) Requiring the transferred allocation to be used for special education services; 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 is in accord with the intent and purpose of H.B. No. 1294, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1294, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Ohno, Quinlan).

SCRep. 468 Education on H.B. No. 1360

The purpose of this measure is to:

- (1) Establish an Early Childhood Educator Stipend Program to be administered by the Executive Office on Early Learning to address the shortage of qualified early childhood educators in Hawaii; and
- (2) Require stipend fund repayments for the Early Childhood Educator Stipend Program to be deposited into the Early Learning Special Fund.

Your Committee received testimony in support of this measure from the State Public Charter School Commission, Executive Office on Early Learning, Early Learning Board, Hawaii Children's Action Network Speaks!, Parents And Children Together, Kaulanakilohana, and two individuals. Your Committee received comments on this measure from the Department of the Attorney General and Department of Human Services.

Your Committee finds that the demand for quality early care and education far exceeds the amount of available and qualified early childhood educators. Your Committee further finds that preschool teachers are amongst the lowest paid occupations, making an average less than many non-skilled positions such as parking lot attendants. This measure will support those individuals seeking to become high-quality early childhood educators, thereby moving the State toward reaching its goal of increasing access to high-quality early learning programs.

Your Committee has amended this measure by:

- (1) Exempting the Executive Office on Early Learning from the prohibition of contracting with a collection agency to collect from a debtor a commission;
- (2) Changing its effective date to July 1, 2050; 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 is in accord with the intent and purpose of H.B. No. 1360, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1360, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 4 (Belatti, Ohno, Quinlan, Takayama).

SCRep. 469 Education on H.B. No. 1362

The purpose of this measure is to:

- (1) Establish the Hawaii Early Childhood Educator Stipend Program; and
- (2) Clarify and make adjustments to Act 46, Session Laws of Hawaii 2020, which relates to access to learning, to reflect the current situation brought upon by the COVID-2019 pandemic.

Your Committee received testimony in support of this measure from the Department of Education; Hawaii State Council on Developmental Disabilities; Early Childhood Action Strategy; Hui for Excellence in Education; Hawaii Children's Action Network Speaks!; and three individuals. Your Committee received testimony in support of the intent of this measure from the Department of Human Services and Executive Office on Early Learning. Your Committee received comments on this measure from the State Public Charter School Commission and Early Learning Board.

Your Committee finds that the demand for quality early care and education far exceeds the amount of available and qualified early childhood educators. This measure will support individuals seeking to become high-quality early childhood educators, thereby moving the State toward reaching its goal of increasing access to high-quality early learning programs.

Your Committee additionally finds that it is important to prioritize early learning despite the challenges the State has had to face with the COVID-19 pandemic. Your Committee believes that this measure will help to expand and strengthen the early childhood workforce, clarify key dates in the implementation of Act 46, Session Laws of Hawaii 2020, and clarify that a uniform assessment of kindergarten readiness will be used to support the readiness and learning of all students entering kindergarten in public schools and charter schools across the State.

Your Committee has amended this measure by:

- (1) Removing language which would have required the Executive Office on Early Learning to partner with the State Public Charter School Commission to provide the Early Childhood Education Program;
- (2) Restoring language which requires the Department of Human Services to establish or augment an existing database to collect and analyze information it receives from the Department of Education and State Public Charter School Commission regarding standardized assessments for students entering kindergarten and prior early learning programs attendance disclosure;
- (3) Repealing the requirement for the Department of Human Services and Executive Office on Early Learning to collaborate to identify the need for child care and early learning in geographic regions of the State;
- (4) Requiring the Department of Human Services and the Executive Office on Early Learning to collect annual data on the total number of available seats, total number of vacancies, and available waitlist information, to be aggregated by age, program type, and zip code, and allow the Department and Office to work with outside providers and entities to aggregate the collected data;
- (5) Changing its effective date to July 1, 2050; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1362, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1362, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 4 (Belatti, Ohno, Quinlan, Takayama).

SCRep. 470 Education on H.B. No. 521

The purpose of this measure is to require the Committee on Weights to submit a report to the Legislature detailing any changes to the funding formula within thirty days of the change.

Your Committee received comments on this measure from the Department of Education.

Your Committee finds that the Committee on Weights is responsible for, among other things, reviewing the issue of funding and revising the funding formula to provide for the equitable distribution of funds to all Hawaii public schools. Although there is major concern for insufficient funding for public schools, various Committees on Weights have recommended, and the Board of Education has approved, changes in the formula factor that has increased the weighted student formula base funding at schools. Since these changes affect the well-being of schools and students from all areas, it is important that the Legislature be made aware of these changes.

Your Committee has amended this measure by changing the time period for the Committee on Weights to submit a report to the Legislature detailing any changes to the funding formula to within thirty days of the Board of Education approving any changes to the funding formula.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 521, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 521, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Ohno, Quinlan).

SCRep. 471 Education on H.B. No. 611

The purpose of this measure is to:

- (1) Establish maintenance of effort provisions for free education in the State;
- (2) Establish a Public Education Stabilization Trust Fund; and
- (3) Appropriate funds for the maintenance of effort for K-12 educational programs.

Your Committee received testimony in support of this measure from the Department of Education, State Public Charter School Commission, and one individual. Your Committee received testimony in support of the intent of this measure from the Hawaii State Teachers Association, Kamehameha Schools, and Democratic Party of Hawaii Education Caucus. Your Committee received comments on this measure from the Department of Budget and Finance, Tax Foundation of Hawaii, and Hui for Excellence in Education.

Your Committee finds that a vibrant K-12 public education system enables the fulfillment of educational goals and aspirations far beyond a student's successful completion of secondary education requirements. Your Committee further finds that to promote predictability and stability of K-12 education revenues, a commitment to a base of annual funding in the face of changing circumstances is needed to ensure the continuous and uninterrupted equitable distribution of educational resources for all public school students.

Your Committee has amended this measure by:

- (1) Clarifying the procedure to remit general exercise tax revenues to the Public Education Stabilization Trust Fund, stating that if appropriations to the Department of Education for the current fiscal year are less than the preceding fiscal year, the sum from all general excise tax revenues realized by the State that represents the difference between the preceding fiscal year appropriation and the current fiscal year appropriation shall be deposited to the credit of the Trust Fund;
- (2) Requiring Board of Education approval of all expenditures made from the Public Education Stabilization Fund;
- (3) Changing its effective date to July 1, 2050; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 611, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 611, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Ohno, Quinlan).

SCRep. 472 Education on H.B. No. 1222

The purpose of this measure is to improve digital literacy throughout Hawaii by:

- (1) Requiring public schools and public charter schools to offer education in computer science; and
- (2) Establishing the Computer Science Education Special Fund to provide grants to support computer science education.

Your Committee received testimony in support of this measure from the Department of Education; Code.org; Chamber of Commerce Hawaii; HawaiiKidsCAN; Microsoft; Purple Maia Foundation; Hawai'i Society for Technology in Education; TechNet; and eight individuals. Your Committee received testimony in support of the intent of this measure from the State Public Charter School Commission and Microsoft. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the global COVID-19 pandemic has illustrated a need to diversify Hawaii's economy beyond tourism and has shown the importance of digital literacy, particularly as applied to distance learning, tele-health appointments, and working from home. Your Committee further finds that computer science education is a key driver of economic growth and digital literacy. Your Committee believes this measure will further promote computer science education in the State and prepare students for fields related to computer science that have the potential to drive job growth and innovation throughout the economy.

Your Committee has amended this measure by:

- (1) Clarifying the definition of "computer science";
- (2) Removing highest academic degree of instructors from the categories to be reported to the Superintendent of Education;
- (3) Changing its effective date to July 1, 2050; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1222, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1222, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Ohno, Quinlan).

SCRep. 473 Pandemic & Disaster Preparedness/Labor & Tourism on H.B. No. 954

The purpose of this measure is to convert certain employees of the Hawaii Emergency Management Agency from civil service status to exempt status.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office, Hawaii Emergency Management Agency, and one individual. Your Committees received comments on this measure from the Department of Defense and one individual.

Your Committees find that the Hawaii Emergency Management Agency does not have sufficient staff and applicants to fill critical vacancies with well-trained, experienced, and qualified personnel. Exempting certain positions from civil service status within the Hawaii Emergency Management Agency will allow the State to competitively recruit and retain highly qualified individuals and reduce the State's risk in having critical positions vacant for extended periods.

Your Committees have amended this measure by:

- (1) Including the Executive Officer of the Hawaii Emergency Management Agency as a position exempt from civil service status;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Pandemic & Disaster Preparedness and Labor & Tourism that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 954, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 954, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Pandemic & Disaster Preparedness: Ayes, 9. Noes, none. Excused, none.

Labor & Tourism: Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 474 Pandemic & Disaster Preparedness/Higher Education & Technology on H.B. No. 956

The purpose of this measure is to establish the Statewide Interoperable Communications Executive Committee and its Coordinator for public safety communications purposes.

Your Committees received testimony in support of this measure from the Department of Defense, Office of Enterprise Technology Services, and one individual.

Your Committees find that a formal public safety communications governance body will provide a clear direction for future communications efforts, a framework for impacted parties to collaborate, and the opportunity for effective and efficient use of financial and technology resources. This measure will create a safer environment for residents and visitors of the State during an emergency by establishing the Interoperable Communications Executive Committee to create uniform policies and procedures for first responders and emergency response agencies.

Your Committees have amended this measure by:

- (1) Inserting language that requires a report from the Statewide Interoperable Communications Executive Committee to the Legislature prior to the convening of each regular session;

(2) Specifying that the Statewide Interoperable Communications Technical Subcommittee shall:

- (A) Not have a fixed membership;
- (B) Not be subject to any quorum requirement; and
- (C) Be exempt from certain provisions of the Sunshine Law;

(3) Changing its effective date to July 1, 2050, to encourage further discussion; and

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

As affirmed by the records of votes of the members of your Committees on Pandemic & Disaster Preparedness and Higher Education & Technology that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 956, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 956, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Pandemic & Disaster Preparedness: Ayes, 8. Noes, none. Excused, 1 (Woodson).

Higher Education & Technology: Ayes, 9. Noes, none. Excused, 3 (Belatti, Quinlan, Woodson).

SCRep. 475 Pandemic & Disaster Preparedness/Higher Education & Technology on H.B. No. 957

The purpose of this measure is to establish the Hawaii State Fusion Center and the Director for the Hawaii State Fusion Center.

Your Committees received testimony in support of this measure from the Department of Defense, Department of Human Services, Department of Transportation, Hawaii State Energy Office, Hawai'i Gas, Retail Merchants of Hawaii, and one individual.

Your Committees find that on December 20, 2010, the State was designated as the seventy-seventh fusion center by the United States Department of Homeland Security. The Hawaii Fusion Center has been a vital resource for the State, serving as a center for federal, state, and county agencies to coordinate their efforts in receiving and sharing important security information. As security threats increase, it is essential that the State maintains the ability to coordinate the efficient and effective sharing of security information across all levels of government.

Your Committees note that funding for the Director of the Fusion Center ended on December 31, 2020, and under the current economic constraints as a result of COVID-19, the Office of Homeland Security has been funding the position. The Office of Homeland Security is expected to fund the position using federal funds next year; however, funding the Fusion Center exclusively with federal funds is not an advisable business practice. As such, re-establishing state funding for the Director of the Fusion Center is imperative to the functioning of the Fusion Center in future years.

Your Committees have amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Pandemic & Disaster Preparedness and Higher Education & Technology that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 957, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 957, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Pandemic & Disaster Preparedness: Ayes, 8. Noes, none. Excused, 1 (Woodson).

Higher Education & Technology: Ayes, 9. Noes, none. Excused, 3 (Belatti, Quinlan, Woodson).

SCRep. 476 Pandemic & Disaster Preparedness/Health, Human Services, & Homelessness on H.B. No. 1003

The purpose of this measure is to make emergency appropriations to the Department of Health for medical surge staffing and to implement vaccination plans.

Your Committees received testimony in support of this measure from the Department of Health and Hawaii Primary Care Association.

Your Committees find that the Department of Health will require financial support in distributing the highly needed COVID-19 vaccination to residents of the State. Providing the vaccination to residents is a top priority of the State. Your Committees believe that additional funds may be needed to continue critical COVID-19 response programs and activities to ensure the health and welfare of Hawaii's residents.

Your Committees have amended this measure by:

- (1) Inserting blank appropriation amounts;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Pandemic & Disaster Preparedness and Health, Human Services, & Homelessness that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1003, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1003, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Pandemic & Disaster Preparedness: Ayes, 9. Noes, none. Excused, none.

Health, Human Services, & Homelessness: Ayes, 7. Noes, none. Excused, 1 (Gates).

SCRep. 477 Transportation on H.B. No. 1081

The purpose of this measure is to require the Department of Transportation and each county's transportation department to create and maintain a priority list of sidewalk installation and improvement projects and publish the list on their respective websites.

Your Committee received testimony in support of this measure from the Department of Transportation, Waikiki Neighborhood Board, Palehua Townhouse Association, Hawaii Bicycling League, and five individuals.

Your Committee finds that sidewalks are crucial infrastructure that allow pedestrians to safely walk throughout the State. Properly maintained sidewalks are essential for many of Hawaii's residents and visitors as it is their only means of safely commuting to school or work or to seek medical care. A publicly available list of sidewalk installation and improvement projects throughout the State will better ensure the safety of pedestrians.

Your Committee respectfully requests that should your Committee on Finance hear this measure, that it considers any potential fiscal impact that requiring a priority list of sidewalk installation and improvement projects may have on the State and counties.

Your Committee has amended this measure by:

- (1) Deleting language that would have required the Department of Transportation and each county to evaluate a project's potential to reduce disparities in health, safety, and mobility based on geography and other social determinants;
- (2) Deleting language that would have required each priority list to include information on what percentage of the respective department's capital improvement budget was allocated to sidewalks and improving pedestrian accessibility;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1081, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1081, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Ilagan, Takumi).

SCRep. 478 Education on H.B. No. 613

The purpose of this measure is to appropriate elementary and secondary school emergency relief fund (ESSER funds) monies received by the State from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136 (CARES Act), and the Coronavirus Response and Relief Supplemental Appropriations Act, 2021, Public Law 116-260 (CRRS Appropriations Act) to offset any budget reductions that are identified or proposed by the Department of Education and the Governor that would result in the reduction of personnel who are subject to a collective bargaining agreement pursuant to chapter 89, Hawaii Revised Statutes, and who are employed at the school level, subject to certain requirements and conditions.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association, Hui for Excellence in Education, Democratic Party of Hawai'i Education Caucus, and five individuals. Your Committee received comments on this measure from the Board of Education and Department of Education.

Your Committee finds that the Department of Education is the only public education system in the country that is wholly state funded, resulting in the Department facing unique challenges to utilizing federal funds to offset the negative economic impacts of the COVID-19 pandemic. Your Committee further finds that for states who received certain federal funds, including ESSER funds established by the CARES Act and CRRS Appropriations Act, are required to assure that they will maintain support for education programs during fiscal years 2019-2020 and 2020-2021 by meeting certain benchmarks. Your Committee believes that this measure will allocate funds to maintain that support by ensuring that Department of Education employees at the school level continue to remain employed and not face layoffs, furloughs, or pay reductions.

Your Committee has amended this measure by:

- (1) Removing language noting that the State is not currently experiencing a precipitous decline in revenues, as this language may jeopardize future federal funding;
- (2) Appropriating an unspecified amount of ESSER funds received by the State from the CARES Act and CRRS Appropriations Act for fiscal year 2020-2021 as an emergency appropriation to be expended by the Department of Education for the same purpose as the appropriation of ESSER funds received by the State from the CARES Act and CRRS Appropriations Act for fiscal year 2021-2022 and 2022-2023 and subject to the same requirements and conditions;
- (3) Changing its effective date to July 1, 2050; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 613, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 613, H.D. 2, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Okimoto). Noes, none. Excused, 1 (Ohno).

SCRep. 479 Education on H.B. No. 1078

The purpose of this measure is to require:

- (1) By August 1, 2021, the Board of Education to meet with alumni, student, and parent representatives of the Hawaii School for the Deaf and Blind, other members of the Hawaii deaf community, and representatives of the Department of Education on progress to convert the Hawaii School for the Deaf and Blind to a charter school and to discuss other alternatives; and
- (2) By October 1, 2021, the Department of Education to develop an implementation plan to transition the Hawaii School for the Deaf and Blind to a conversion charter school.

Your Committee received testimony in support of this measure from nine individuals. Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that deaf and deaf-blind children are best served by a specialized school where their special communication, language, and development needs will be understood. Your Committee further finds this measure will begin the process to convert the Hawaii School for the Deaf and Blind to a charter school, enabling the School to focus on the needs of deaf and deaf-blind children from early childhood through transitioning to employment and adult life.

Your Committee has amended this measure by:

- (1) Requiring the State Public Charter School Commission or applicable authorizer to begin the approval process for the Hawaii School for the Deaf and Blind to become a conversion charter school upon receipt of the letter of intent to convert the School;

- (2) Requiring the Department of Education's implementation plan to allow for a public school student whose individualized education program prescribes that the child needs the support provided by the Hawaii School for the Deaf and Blind to be granted automatic admittance into the School;
- (3) Requiring conversion charter schools to enroll any student whose individualized education program prescribes that the conversion charter school provides support for blind, deaf, or hard of hearing students;
- (4) Changing its effective date to July 1, 2050; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1078, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1078, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Ohno).

SCRep. 480 Pandemic & Disaster Preparedness on H.B. No. 573

The purpose of this measure is to appropriate funds received from the federal government for certain COVID-19 response and activities with funds for certain programs paid by the county.

Your Committee received testimony in opposition to this measure from the Mayor of the County of Maui and one member of the Maui County Council.

Your Committee finds that the State requires federal funding support to address the coronavirus disease 2019 (COVID-19) and to continue providing necessary services to residents. Since the start of the COVID-19 pandemic, the federal government has passed various legislation to help support states and its citizens. This measure will provide the State with a legislative vehicle if funding from the federal government becomes available.

Your Committee notes that under existing law, there is no explicit process on how to appropriate federal relief funds received by the State during a state of emergency when the Legislature is not in session. This can cause a delay in providing necessary funds to state agencies during an emergency. Your Committee believes that it is imperative to have a process in place to ensure that crucial services are available to support and protect the residents and visitors of the State.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language that:
 - (A) Requires, if the Legislature is not in session when the Governor declares a state of emergency and Congress passes a financial relief package of a certain amount, that the Joint Legislative Budget Committee convene within fourteen days after a financial relief package becomes law to prepare a recommendation for the Legislature on how to appropriate federal funds received;
 - (B) Authorizes the Legislature to convene in a special session in accordance with the constitution within thirty days after the financial relief package becomes law to act on the recommendations of the Joint Legislative Budget Committee; and
 - (C) Provides that if the Legislature does not convene in a special session within the time provided, the Governor may expend the federal funds accordingly; provided that the Governor submits a request to appropriate any unexpended funds during the next regular or special session and a report of all funds expended by the Governor to the Legislature; and
- (2) 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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 573, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 573, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Ward). Noes, none. Excused, 1 (Woodson).

SCRep. 481 Housing on H.B. No. 80

The purpose of this measure is to:

- (1) Clarify how the Low-Income Housing Tax Credit may be allocated among partners of a taxpayer;
- (2) Allow a taxpayer to claim the Low-Income Housing Tax Credit for the first year in certain situations if the taxpayer has not yet received Form 8609 from the Internal Revenue Service;
- (3) Specify the application of certain tax provisions with respect to low-income buildings or projects placed in service after December 31, 2019; and
- (4) Extending the sunset date of Act 129, Session Laws of Hawaii 2016, to December 31, 2027.

Your Committee received testimony in support of this measure from Michaels Development – Hawai'i Region; Stanford Carr Development, Inc.; and one individual. Your Committee received comments on this measure from the Department of Taxation, Hawaii Housing Finance and Development Corporation, Tax Foundation of Hawaii, Hunt Companies – Hawaii, Hunt Capital Partners LLC, and Sugar Creek Capital.

Your Committee finds that this measure supports efforts to maximize the value of the Low-Income Housing Tax Credit to make affordable rental housing developments more feasible to build. This measure also extends the sunset date of Act 129, Session Laws of Hawaii 2016, to December 31, 2027, which extends the applicable period for claiming the Low-Income Housing Tax Credit, thereby allowing more time for developers to generate more equity to finance affordable rental housing projects in the State.

Your Committee has amended this measure by:

- (1) Specifying that for state income tax purposes the Low-Income Housing Tax Credit may be allocated among individuals and entities deemed partners or members under applicable state law, regardless of whether the partner or member is deemed to be a partner or member for federal income tax purposes;
- (2) Amending the relaxation of the installment method, at-risk, and passive activity loss rules by:
 - (A) Making it apply to low-income buildings or projects placed into service after December 30, 2020;
 - (B) Specifying that deduction and expenses claimed by all State taxpayers on Hawaii income tax returns shall not exceed the deductions and expenses claimed by all taxpayers on federal returns; and

(C) Revoking the exemption from certain tax provisions if the building ceases to serve low-income households in accordance with federal and state low-income housing tax credit programs;

(3) Changing the effective date to July 1, 2050, to encourage further discussion; and

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

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 80, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 80, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 482 Housing on H.B. No. 131

The purpose of this measure is to:

(1) Increase the tax credit for low-income individuals and household renters;

(2) Increase the adjusted gross income eligibility cap for the income tax credit for low-income household renters using tax brackets for individuals and different categories of households; and

(3) Provide for annual increases based on the Consumer Price Index.

Your Committee received testimony in support of this measure from Imua Alliance, Hawaii Appleseed Center for Law & Economic Justice, and League of Women Voters of Hawaii. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the income tax credit for low-income household renters last increased in 1981, from \$20 per exemption to \$50 per exemption. This measure adjusts the eligibility requirements under the income tax credit for low-income household renters and increases the amount of the tax credit to provide help to individuals and families needing rental assistance.

Your Committee has amended this measure by:

(1) Using the federal adjusted gross income as the threshold determinant for income tax credit eligibility;

(2) Setting the inflation increase for the income tax credit to occur every three years, rather than annually;

(3) Changing the effective date to July 1, 2050, to encourage further discussion; and

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

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 131, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 131, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 483 Housing on H.B. No. 1132

The purpose of this measure is to alleviate the affordable rental housing needs of elderly persons by authorizing the issuance of general obligation bonds to be appropriated for construction of Phase I of a senior affordable housing project on Hawaii Public Housing Authority property on School Street, Oahu.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Hawaii Public Housing Authority, Catholic Charities Hawai'i, Partners in Care, and two individuals.

Your Committee notes that the general obligation bond funds in this measure will be used by the Hawaii Public Housing Authority to redevelop a portion of a 6.6-acre site at North School Street on Oahu. Phase I of the development will be an affordable housing project containing two hundred fifty age-restricted rental units for seniors. According to testimony received by your Committee from the Hawaii Public Housing Authority, the housing units would remain affordable housing rental units in perpetuity. Your Committee finds that this measure will help address the State's affordable housing needs, as well as support job creation through this project.

Your Committee has amended this measure by:

(1) Making the \$40,000,000 appropriation out of the Rental Housing Revolving Fund for fiscal year 2021-2022 only;

(2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1132, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1132, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 484 Housing on H.B. No. 328

The purpose of this measure is to allow for the installation of certain energy-efficient technologies on privately-owned single-family residential dwellings or townhouses, with limited restrictions, and require private entities to adopt rules that provide for the placement of energy-efficient technologies.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Hawai'i Energy, Our Revolution Hawaii, Climate Protectors of Hawaii, 350Hawaii.org, and one individual. Your Committee received comments on this measure from the Hawaii Chapter of the Community Associations Institute, Legislative Action Committee.

Your Committee finds that part of the State's overall goal for energy efficiency is to reduce electricity consumption. Supporting the retrofitting of existing residential and commercial buildings and identifying non-building related energy efficiency measures is a cost-effective step to meet this goal. Permitting homeowners to install energy-efficient technologies will help the State to accelerate energy efficiency and assist in reaching its clean energy goals.

Upon consideration, your Committee has amended this measure by:

- (1) Clarifying that private entities must review their rules on energy-efficient technologies and, if necessary, modify their rules no later than December 31, 2022;
- (2) Removing certain language that prohibited private entities from adopting rules imposing conditions or restrictions that rendered energy efficient technologies more than twenty-five percent less efficient;
- (3) Clarifying that private entities shall not adopt rules imposing conditions or restrictions that increase the cost of installation, maintenance, and removal of energy efficient technologies, rather than prohibiting rules that increase the cost of installation, maintenance, and removal by more than fifteen percent;
- (4) Clarifying that a person is authorized to place energy-efficient technologies on a single-family residential dwelling or townhouse unit only if that person fully owns the dwelling or unit;
- (5) Removing provisions relating to common elements or limited common elements;
- (6) Amending the definition of "energy-efficient technologies"; and
- (7) 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 328, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 328, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 485 Housing on H.B. No. 525

The purpose of this measure is to authorize the Department of Education to construct teacher housing for teachers on public school campuses; provided that any housing units constructed or acquired after June 30, 2021, be rented at no cost or low cost to new public school teachers employed full-time at the school where the teacher housing unit is located.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii State Teachers Association, Hawai'i Association of REALTORS, and one individual. Your Committee received comments on this measure from EAH and 'Ahahui Siwila 'o Ke Aloha 'Āina.

Your Committee finds that some of the factors that have led to the teacher shortage in Hawaii include the high cost of living, teacher salaries, and access to affordable housing. Your Committee also finds that the provision of affordable housing to teachers in Hawaii is a critical component in the recruitment and retention of teachers in Hawaii's public schools. This measure provides a means of addressing the shortage of teachers in the State through an affordable rental housing incentive intended to attract and retain public school teachers.

Your Committee has amended this measure by:

- (1) Amending the teacher housing rent requirements to:
 - (A) Include public school teachers who teach in a rural or hard-to-staff location; and
 - (B) Specify that teacher housing rents be at an affordable cost, rather than at no cost or low cost;
- (2) Making it a priority, rather than a requirement, for providing teacher housing to public school teachers;
- (3) Removing a reference to a teacher's immediate family residing in the housing unit; and
- (4) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 525, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 525, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 486 Housing on H.B. No. 1114

The purpose of this measure is to repeal or reclassify certain non-general funds of the Hawaii Public Housing Authority.

Your Committee received comments on this measure from the Hawaii Public Housing Authority and Tax Foundation of Hawaii.

Your Committee finds that this measure repeals and reclassifies certain non-general funds of the Hawaii Public Housing Authority in this measure pursuant to the recommendations of the Auditor in Auditor Report No. 21-02, "Review of Special Funds, Revolving Funds, Trust Funds, and Trust Accounts of the Department of Human Services".

Your Committee also finds that according to testimony by the Hawaii Public Housing Authority, the repeal of the State Low-Income Housing Revolving Fund as proposed by this measure will result in the Hawaii Public Housing Authority being unable to use the rental revenue and fees collected to administer the State Low-Income Public Housing Program. Furthermore, elimination of the State Low-Income Housing Revolving Fund also eliminates a place for the deposit of rental revenues and fees to administer the State Low-Income Public Housing Program.

Your Committee has amended this measure by:

- (1) Removing language that would have repealed the State Low-Income Housing Revolving Fund;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1114, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1114, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 487 Housing on H.B. No. 79

The purpose of this measure is to:

- (1) Establish the Affordable Homeownership Revolving Fund to provide loans to nonprofit community development financial institutions and nonprofit housing development organizations for the development of affordable homeownership housing projects; and
- (2) Appropriate funds from the Affordable Homeownership Revolving Fund for loans for the development of affordable for-sale housing projects.

Your Committee received testimony in support of this measure from Hawaii Habitat for Humanity Association; Kaua'i Habitat for Humanity Inc.; Habitat for Humanity Maui; Habitat for Humanity Hawaii Island, Inc.; Maui Chamber of Commerce; St. Michael the Archangel Parish; and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Hawaii Housing Finance and Development Corporation.

Your Committee notes that in the last fifty years, the number of full-time Hawaii residents who own homes has steadily declined. Currently, Hawaii has the third lowest homeownership rate of any state in the nation. Your Committee finds that the self-help housing model is a cost-effective means of assisting low-income families who otherwise would not have a homeownership opportunity. Funds provided through the Affordable Homeownership Revolving Fund, as proposed by this measure, will assist in the development, pre-development, construction, acquisition, preservation, and substantial rehabilitation of affordable for-sale housing units in the State.

Your Committee has amended this measure by:

- (1) Authorizing the Hawaii Housing Finance and Development Corporation to:
 - (A) Contract with nonprofit community development financial institutions to fund loans for affordable homeownership housing projects; and
 - (B) Establish, revise, charge, and collect service fees for its loans and services, and deposit the fees into the Affordable Homeownership Revolving Fund;
- (2) Authorize the Director of Finance to transfer taxable general obligation bond proceeds and accrued interest from the Rental Housing Revolving Fund to the Affordable Homeownership Revolving Fund for Fiscal Year 2022-2023;
- (3) Appropriating funds out of the Affordable Homeownership Revolving Fund for only Fiscal Year 2022-2023;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 79, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 79, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 488 Higher Education & Technology on H.B. No. 516

The purpose of this measure is to promote electronics stewardship and reduce electronic waste in the State by establishing the Electronic Device and Television Donation Act to require all persons receiving state funds and state financial assistance to donate unnecessary but functioning electronic devices to nonprofit organizations that will refurbish and distribute the devices to eligible persons in the State.

Your Committee received testimony in support of this measure from the Department of Education, Hawaiian Hope Org, and two individuals. Your Committee received comments on this measure from the Department of Accounting and General Services.

Your Committee finds that the growth in the technology industry has led to ongoing escalation of electronic waste in landfills. Your Committee also finds that while recycling of electronic devices prevents valuable materials from being wasted, preventing waste in the first place is preferable to waste management. Donating used but functioning electronic devices for reuse extends the life of valuable products, keeps devices out of the waste stream for a longer period of time, and serves a valuable public purpose and benefit. Your Committee further finds that this measure will provide greater access to nonprofits in the State to refurbish computers and other electronic devices for community use, instead of these items being discarded as electronic waste.

As affirmed by the record of votes of the members of your Committee on Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 516, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 489 Higher Education & Technology on H.B. No. 1280

The purpose of this measure is to transfer operational authority over the Makai Research Pier located at the southeast corner of Oahu, from the University of Hawaii to the Natural Energy Laboratory of Hawaii Authority, and authorize general obligation bonds and appropriate funds to repair and upgrade Makai Research Pier.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; University of Hawai'i System; and Makai Ocean Engineering, Inc. Your Committee received testimony in opposition to this measure from the Natural Energy Laboratory of Hawaii Authority.

Your Committee finds that the Makai Research Pier is a unique research platform for understanding the ocean's composition. This measure will allow the Makai Research Pier to remain operational and further use of the pier as part of an accelerator/incubator with a focus on ocean technology, which is recognized as having the potential to boost economic growth, employment, and innovation in the State.

Your Committee recognizes that the development of the Makai Research Pier to allow for the expansion of operations for ocean technology and other growing sectors will affect existing tenants at the pier. Should this measure be enacted into law, it is your Committee's intent that the Natural Energy Laboratory of Hawaii Authority enter into mutually agreeable negotiations with current tenants at the Makai Research Pier.

Your Committee has amended this measure by:

- (1) Removing the requirement that the terms of any tenant leases of the Makai Research Pier in effect on the effective date of this measure remain in full force and effect; and

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

Should your Committee on Finance hear this measure, your Committee respectfully requests that it consider a general obligation bond fund authorization and appropriation of \$5,000,000 for fiscal year 2021-2022 to repair and upgrade the Makai Research Pier.

As affirmed by the record of votes of the members of your Committee on Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1280, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1280, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 490 Higher Education & Technology on H.B. No. 539

The purpose of this measure is to establish a program within the Hawaii State Fusion Center of the Office of Homeland Security to train, establish, and operate threat assessment teams, including within the Department of Education, State Public Charter School Commission, and University of Hawaii.

Your Committee received testimony in support of this measure from the Department of Education and two individuals. Your Committee received comments on this measure from the Office of Information Practices and Hawaii State Fusion Center.

Your Committee finds that it is important to be proactive through threat assessment actions and protocols to keep the community safe from violence and potential acts of violence. Your Committee further finds that threat assessment teams are key in crisis prevention. Establishing a multidisciplinary team of individuals with expertise and training in threat assessment as proposed in this measure will support agencies and individuals in appropriately responding to threats and identifying, evaluating, and addressing threats before they occur.

Your Committee has amended this measure by:

- (1) Removing certain requirements relating to the authorization of the Hawaii State Fusion Center to provide criminal history information to vetted liaisons for threat assessment teams authorized by government agencies;
- (2) Specifying that only threat assessment team members from a criminal justice agency may receive restricted criminal justice information;
- (3) Removing the provision authorizing criminal history information to be disseminated to the Hawaii State Fusion Center;
- (4) Specifying that University of Hawaii education threat assessment teams shall include persons with training and experience in emergency preparedness; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 539, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 539, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 491 Higher Education & Technology on H.B. No. 125

The purpose of this measure is to establish The Uniform Employee and Student Online Privacy Protection Act to adopt uniform laws on protecting the online accounts of employees, prospective employees, job applicants, unpaid interns, independent contractors, students, and prospective students, from employers and educational institutions.

Your Committee received testimony in support of this measure from the Department of Education, Hawai'i Civil Rights Commission, and Commission to Promote Uniform Legislation.

Your Committee finds that in recent years there have been a number of reported incidents in which employers and educational institutions have demanded and received access to non-public information from employees' and students' personal online accounts. Your Committee notes that ordinarily, individuals decide for themselves who will have access to information that is not otherwise publicly available in their social media profiles and other online accounts. However, employers and educational institutions may have the power to coerce access to non-public information of these individuals' personal online accounts. This measure prevents employers and public and private educational institutions from gaining such access.

Your Committee notes that this measure adopts the Uniform Employee and Student Online Privacy Protection Act, which was enacted by the Commission to Promote Uniform Legislation and developed by the Uniform Law Commission with input from employers, educational institutions, internet and other technology companies, and private organizations.

Your Committee has amended this measure by 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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 125, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.B. No. 125, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 492 Higher Education & Technology on H.B. No. 1105

The purpose of this measure is to ensure that the Board of Regents of the University of Hawaii Candidate Advisory Council reflects the diverse interests of the people of the State by amending the appointing authorities of members to the Candidate Advisory Council and adjusting member term limits.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, University of Hawaii Student Caucus, Academic Labor United, LGBT Caucus of the Democratic Party of Hawaii, and six individuals. Your Committee received comments on this measure from the Department of the Attorney General and Executive Administrator and Secretary of the Board of Regents.

Your Committee finds that the Board of Regents of the University of Hawaii Candidate Advisory Council recruits, evaluates, and presents to the Governor qualified candidates for nomination to vacant seats on the University of Hawaii Board of Regents. This measure will allow for a greater cross-section of members on the Candidate Advisory Council who are reflective of the broader community and will bring varied knowledge, experiences, and perspectives in determining qualified candidates for nomination to vacant seats on the University of Hawaii Board of Regents.

Your Committee has amended this measure by:

- (1) Requiring the Governor to appoint the members to the Board of Regents of the University of Hawaii Candidate Advisory Council within one hundred twenty days of the Governor commencing the Governor's term of office;
- (2) Requiring that the All Campus Council of Faculty Senate Chairs, rather than the University of Hawaii Professional Assembly, appoint a member to the Candidate Advisory Council;
- (3) Retaining the requirement that a member of the Association of Emeritus Regents of the University of Hawaii serve as an ex officio, nonvoting member of the Candidate Advisory Council, for a term not to exceed two years and to run concurrently with the term of the appointing chair;
- (4) Deleting the requirement that the Secretary of the Board of Regents be responsible for ensuring that all appointing authorities make appointments within one hundred twenty days prior to the end of the term of the previously appointed member;
- (5) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1105, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1105, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Okimoto). Noes, none. Excused, none.

SCRep. 493 Culture, Arts, & International Affairs on H.B. No. 1164

The purpose of this measure is to appropriate funds to support the Bernice Pauahi Bishop Museum, designated as the State of Hawaii Museum of Natural and Cultural History.

Your Committee received testimony in support of this measure from the Bishop Museum.

Your Committee finds that over the past ten years, appropriations from the general fund to support the Bernice Pauahi Bishop Museum (Bishop Museum) have significantly decreased. Your Committee further finds that restoring the State's allocation to the Bishop Museum is critical to ensure the museum's collections of Hawaiian and oceanic cultural, historical, and biological artifacts are properly preserved, protected, and maintained.

Your Committee notes that the Bishop Museum is currently receiving \$626,000 from the State but anticipates that this allocation will be reduced by \$200,000, a reduction that will severely impact the operations of Bishop Museum.

Should your Committee on Finance deliberate this measure further, your Committee on Culture, Arts, and International Affairs respectfully requests that it consider appropriating \$4,700,000 to support the Bishop Museum, including the hiring of necessary staff.

Your Committee has amended this measure by changing the effective date to July 1, 2065, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1164, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1164, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (LoPresti, Ward).

SCRep. 494 Culture, Arts, & International Affairs on H.B. No. 229

The purpose of this measure is to designate September 11 of each year as "United States Senator Daniel K. Akaka Day."

Your Committee received testimony in support of this measure from four individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that Senator Daniel K. Akaka was the first United States Senator of Native Hawaiian ancestry who served as a Senator for Hawaii from 1990 to 2013 and served as a member of the State's House of Representatives from 1977 to 1990. This measure recognizes Senator Akaka's lifelong commitment to public service to Hawaii and the United States.

Your Committee has amended this measure by:

- (1) Changing the day of recognition from September 11 to January 4;
- (2) Changing the effective date to July 1, 2065, to encourage further discussion; 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 Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 229, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 229, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ward).

SCRep. 495 Culture, Arts, & International Affairs on H.B. No. 627

The purpose of this measure is to authorize the issuance of special license plates to commemorate the Polynesian Voyaging Society.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Hawaii Arts Alliance, and nine individuals.

Your Committee finds that the voyage of Hōkūle'a is an irreplaceable part of Hawaii's history, legacy, culture, and identity. A special license plate as proposed by this measure will support the ongoing mission of the Polynesian Voyaging Society to care for the earth.

Your Committee has amended this measure by:

- (1) Specifying that the special license plates may be issued to any registered owner of motor vehicles, rather than only for electric vehicles;
- (2) Changing the effective date to July 1, 2065, to encourage further discussion; 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 Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 627, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 627, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ward).

SCRep. 496 Culture, Arts, & International Affairs on H.B. No. 1308

The purpose of this measure is to designate June 19 of each year as Juneteenth.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, one member of the Hawai'i County Council, two members of the Honolulu City Council, LGBT Caucus of the Democratic Party of Hawaii, Common Cause Hawaii, Hawai'i Arts Alliance, Planned Parenthood Votes Northwest and Hawaii, BKMM Enterprises Corp, Young Progressives Demanding Action, Hawai'i for Juneteenth, Community Alliance on Prisons, and eleven individuals.

Your Committee finds that although the Emancipation Proclamation was signed on September 22, 1862, outlawing slavery in Texas and other rebel states, slavery did not officially end in Texas until Major General Gordon Granger arrived in Galveston, Texas, on June 19, 1865, and announced the end of slavery and the Civil War. Your Committee further finds that Hawaii is one of three states that does not currently recognize Juneteenth as a state holiday or special day of observance. This measure will establish Juneteenth as a day of recognition of the history and legacy of slavery in the United States and the many contributions made by African Americans to the history of the United States.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2065, to encourage further discussion; and
- (2) 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 Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1308, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1308, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ward).

SCRep. 497 Culture, Arts, & International Affairs on H.B. No. 1193

The purpose of this measure is to appropriate funds for capital improvement projects relating to the State Archives and Iolani Palace.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Department of Land and Natural Resources, Hawaii Arts Alliance, Friends of Iolani Palace, Oahu Economic Development Board, and three individuals.

Your Committee finds that the State Archives and Iolani Palace are irreplaceable parts of the State's legacy, history, culture, and identity. Your Committee further finds that certain architectural elements of Iolani Palace are deteriorating, which threatens both the iconic building and the integrity of the antiques it houses. Additionally, because of reduced revenue due to the COVID-19 pandemic, Iolani Palace has been forced to reduce staff while still shouldering heavy operating costs for increased security and continuous operation of HVAC air systems for preservation. This measure serves to protect the unique history of Hawaii by appropriating funds for needed repairs and updates for the State Archives and Iolani Palace.

Your Committee has amended this measure by changing its effective date to July 1, 2065, to encourage further discussion.

Should your Committee on Finance choose to deliberate on this measure, your Committee on Culture, Arts, & International Affairs respectfully requests that it consider appropriating \$1,000,000 for the development of a State Archives master plan to include the expansion and creation of new collections processing and storage, administrative, public research, exhibition, and community engagement spaces and \$1,695,000 for roof repairs and improvements, renovations and repairs to the fountain and pergolas, and additional renovations, repairs, maintenance, and increased security measures to Iolani Palace.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1193, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1193, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ward).

SCRep. 498 Culture, Arts, & International Affairs on H.B. No. 777

The purpose of this measure is to delete capital improvement project appropriations for renovations of state buildings as a source of funds for the Works of Art Special Fund.

Your Committee received testimony in opposition to the measure from State Foundation on Culture and the Arts, Hawaii State Art Museum, Donkey Mill Art Center, Ebb & Flow Arts, Kahilu Theatre, Garden Island Arts Council, Kauai Society of Artists, Hawaii Craftsmen, and numerous individuals.

Your Committee finds that funds from capital improvement project appropriations for renovations of state buildings accounts for over fifty percent of the revenue in the Works of Art Special Fund. Your Committee further finds that removing appropriations for renovations of state buildings as a source of funding for the Works of Art Special Fund will significantly impact the ability of the State Foundation on Culture and the Arts to carry out ongoing program operations, including the acquisition and distribution of works of art, conservation of public art collections, and operations of the Hawaii State Art Museum.

Accordingly, your Committee has amended this measure by:

- (1) Restoring capital improvement project appropriations for renovations of state buildings as a source of funds for the Works of Art Special Fund;
- (2) Authorizing the funding of the State of Hawaii Museum of Natural and Cultural History and the State of Hawaii Museum of Monarchy as a permissible use of the Works of Art Special Fund;
- (3) Inserting a sunset date of June 30, 2022;
- (4) Changing the effective date to July 1, 2065, to promote further discussion; and

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

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 777, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 777, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (LoPresti, Tam). Noes, 1 (Kapela). Excused, 1 (Ward).

SCRep. 499 Culture, Arts, & International Affairs on H.B. No. 760

The purpose of this measure is to further the efforts of the State Foundation on Culture and the Arts by allowing the Works of Art Special Fund to be used for the support and promotion of performing arts in the State.

Your Committee received testimony in support of this measure from the Hawaii Arts Alliance. Your Committee received testimony in opposition to this measure from Ebb & Flow Arts and three individuals. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; Department of the Attorney General; State Foundation on Culture and the Arts; Department of Budget and Finance; and one individual.

Your Committee finds that the proposed expansion of the scope of the State Art Museum and the Art in Public Places and Relocatable Works of Art programs to include support for performing arts falls within the mission of the State Foundation on Culture and the Arts to promote, perpetuate, and encourage culture and the arts in Hawaii.

Your Committee has amended this measure by:

- (1) Deleting the definition of "public places";
- (2) Amending the definition of "performing arts" to include dance, singing, and theater;
- (3) Removing the requirement that recorded works of performance art be permanently displayed for viewing and listening in public places;
- (4) Removing the requirement that the Works of Art Special Fund be used for the maintenance of internet websites on which works of art are publicly displayed;
- (5) Requiring recorded works of art be displayed at presentation sites, rather than internet websites;
- (6) Changing the effective date to July 1, 2065, to promote further discussion; and
- (7) 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 Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 760, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 760, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (LoPresti, Kapela). Noes, none. Excused, 1 (Ward).

SCRep. 500 Consumer Protection & Commerce on H.B. No. 683

The purpose of this measure is to:

- (1) Establish the Sustainable Aviation Fuel Program to provide matching grants to any small business in Hawaii that is developing products related to sustainable aviation fuel or greenhouse gas reduction from commercial aviation operations; and
- (2) Specify that monies for the program may be appropriated by the Legislature from Environmental Response, Energy, and Food Security Tax revenues.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Imua Alliance, Climate Protectors Hawaii, Airlines for America, and one individual. Your Committee received comments on this measure from the Office of Planning and Hawaii Technology Development Corporation.

Your Committee finds that the State is focused on reducing its dependency on fossil fuels and exploring various avenues to reduce greenhouse gas emissions. Your Committee further finds that air travel has historically been one of the largest sources of Hawaii's greenhouse gas emissions. Your Committee believes that it is in the State's interest to promote sustainable aviation fuels. This measure will assist in the development of sustainable aviation fuel through grants provided by the Sustainable Aviation Fuel Program.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 683, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 501 Consumer Protection & Commerce on H.B. No. 286

The purpose of this measure is to:

- (1) Authorize the Department of Taxation to require a real estate investment trust operating in the State to notify the Department of the trust's presence within the State and report certain tax information; and
- (2) Authorize a daily monetary penalty for the real estate investment trust's noncompliance with these requirements.

Your Committee received testimony in support of this measure from the Young Progressives Demanding Action, Imua Alliance, Free Access Coalition, ILWU Local 142, Hawaii State Teachers Association, Planned Parenthood Votes Northwest and Hawaii, Faith Action for Community Equity, Pono Hawai'i Initiative, Hawai'i Children's Action Network Speaks!, Hawai'i Health & Harm Reduction Center, Church of the Crossroads, and numerous individuals. Your Committee received testimony in opposition to this measure from the Securities Industry Association of Hawaii. Your Committee received comments on this measure from the Department of Taxation, Douglas Emmett, Tax Foundation of Hawaii, Nareit Hawaii, Park Hotels & Resorts Inc., Alexander & Baldwin, and NAIOP Hawaii.

Your Committee finds that real estate investment trusts have a significant presence in the State. Your Committee further finds that the State would benefit from the accurate collection of data about these trusts' economic activities. This measure allows the State to require real estate investment trusts to disclose

certain important information.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 286, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 502 Consumer Protection & Commerce on H.B. No. 90

The purpose of this measure is to:

- (1) Transfer the State Fire Council, for administrative purposes, from the Department of Labor and Industrial Relations to the Department of Commerce and Consumer Affairs;
- (2) Place the boiler and elevator safety law under the jurisdiction of the Department of Commerce and Consumer Affairs, rather than the Department of Labor and Industrial Relations, and create a Boiler and Elevator Safety Appeals Board; and
- (3) Transfer administration of the Human Trafficking Victim Services Fund from the Department of Labor and Industrial Relations to the Judiciary.

Your Committee received testimony in opposition to this measure from the Department of Commerce and Consumer Affairs. Your Committee received comments on this measure from the Department of Labor and Industrial Relations and the Office of Community Services of the Department of Labor and Industrial Relations.

Your Committee finds that this measure is intended to make certain changes to various administrative and jurisdictional responsibilities of the Department of Labor and Industrial Relations, including transferring the administration of the State Fire Council and jurisdiction over the State's boiler and elevator safety law to the Department of Commerce and Consumer Affairs and the administration of the Human Trafficking Victim Services Fund to the Judiciary.

Your Committee has amended this measure by 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 90, H.D. 2, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 90, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 503 Consumer Protection & Commerce on H.B. No. 1253

The purpose of this measure is to prohibit an employer, with certain exemptions, from:

- (1) Requiring an employee to download a mobile application to the employee's personal communication device that enables the employee's location to be tracked or their personal information revealed;
- (2) Terminating or otherwise discriminating against an employee for refusing to download a mobile application to the employee's personal communication device; or
- (3) Discharging or otherwise discriminating against an employee for filing a complaint, testifying, or assisting in any proceeding concerning these unlawful practices.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii.

Your Committee finds that the high rate of transmission of COVID-19 has necessitated the development of new public health tools to mitigate the spread of the virus. These tools include new mobile phone applications that, upon the voluntary acceptance by a mobile phone user, track devices nearby and notify the user if the user was near a person who tested positive for the virus. Your Committee further finds that such applications have raised privacy concerns and anxiety over potential misuse of the tracking information, and that the mandatory use of such applications should not be a condition of employment.

Your Committee has amended this measure by 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1253, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.B. No. 1253, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 504 Consumer Protection & Commerce on H.B. No. 817

The purpose of this measure is to:

- (1) Establish benchmarks that require each principal state department that purchases produce to ensure that a certain minimum percentage of the produce purchased by that department is locally grown, starting with ten percent by January 1, 2025, and progressing through fifty percent by January 1, 2050; and
- (2) Require that each department report to the Legislature annually on their progress in meeting those benchmarks.

Your Committee received testimony in support of this measure from the Land Use Research Foundation of Hawaii, Hawai'i Farm Bureau, BEES>me, Hawai'i Public Health Institute, Hawai'i Alliance for Progressive Action, Hawai'i 'Ulu Producers Cooperative, and three individuals. Your Committee received comments on this measure from the Department of Agriculture, Department of Education, and Ulupono Initiative.

Your Committee finds that local businesses are the backbone of a strong local economy. Your Committee further finds that supporting local producers of agricultural products strengthens the State's local agricultural industry and promotes healthy nutrition.

Your Committee has amended this measure by amending the definition of "produce" to include staple starches.

Your Committee notes the need for continuing discussion on this amended measure as it moves through the legislative process, specifically what the proper metric should be for assessing the progress of each state department in meeting the locally-grown produce benchmarks proposed by this amended measure.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 817, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 817, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 505 Consumer Protection & Commerce on H.B. No. 333

The purpose of this measure is to:

- (1) Establish rules, regulations, and procedures for peer-to-peer car-sharing; and
- (2) Establish a peer-to-peer car-sharing surcharge tax.

Your Committee received testimony in support of this measure from the Department of Transportation, Enterprise Holdings, Turo, Internet Association, and TechNet. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice. Your Committee received comments on this measure from the Department of Taxation, Office of Consumer Protection of the Department of Commerce and Consumer Affairs, Insurance Division of the Department of Commerce and Consumer Affairs, and Tax Foundation of Hawaii.

Your Committee finds that peer-to-peer car-sharing is the process whereby car owners make their vehicles available for others to rent for short periods of time. The process provides an alternative form of transportation for persons who do not own a car or do not wish to use public transportation.

However, your Committee further finds that peer-to-peer car-sharing lacks certain protections for the car owners. For example, most private consumer motor vehicle insurance policies do not include coverage for incidents arising out of the commercial use of a motor vehicle. This measure ensures that consumer protections are established with respect to the operation of a peer-to-peer car-sharing program.

Your Committee notes that existing law authorizes the Airport Division of the Department of Transportation to establish policies and rules governing use and access to the airports' premises. As such, peer-to-peer car-sharing programs will be subject to these rules when operating at the State's airports.

Your Committee has amended this measure by:

- (1) Clarifying that the Peer-to-Peer Car-Sharing Surcharge Tax applies and is levied on the operator of the peer-to-peer car-sharing programs; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 333, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 333, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 506 Consumer Protection & Commerce on H.B. No. 824

The purpose of this measure is to require certain carriers or persons that transport liquor from outside the State for delivery in the State to prepare and file a monthly report with each county liquor commission or county liquor control adjudication board.

Your Committee received testimony in support of this measure from the Hawaii Liquor Wholesalers Association. Your Committee received comments on this measure from the Matson Navigation Company, Inc.

Your Committee finds that the existing law authorizing the direct shipment of wine allows wineries to ship wine directly to consumers. This is especially advantageous for small local wineries that are not able to find wholesalers to distribute the wineries' product outside of their county.

However, your Committee further finds that existing law also authorizes wine producers outside of the State to ship directly to consumers in the State. This is problematic as some wineries or wholesalers ship liquor without a direct shipper permit issued by the State and evade the various state liquor tax laws. This measure will enable county liquor commissions and liquor control adjudication boards to monitor the amount of liquor that is shipped into the State and determine whether the shipper has complied with permitting requirements, thereby ensuring that the State can collect necessary tax revenue.

Your Committee has amended this measure by explicitly exempting water carriers as defined and regulated by the Surface Transportation Board of the United States from the monthly reporting requirements.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 824, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 824, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 507 Consumer Protection & Commerce on H.B. No. 285

The purpose of this measure is to require the Auditor to conduct an impact assessment report on the social and financial impacts of prohibiting health insurance companies from denying coverage for certain types of health care treatments on the basis of gender identity if the policy, contract, plan, or agreement covers those treatments for purposes other than gender transition.

Your Committee received testimony in support of this measure from the LGBT Caucus of the Democratic Party of Hawai'i, Kaiser Permanente Hawaii, and two individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Health, American Civil Liberties Union of Hawai'i, and nine individuals.

Your Committee finds that the health insurance law should afford transgender and non-binary persons the same dignity as afforded to cisgender persons. Yet health insurance policies often cover gender-conforming treatments, such as feminizing or masculinizing hormone therapies, for other purposes, but deny coverage of these therapies when sought by transgender persons for the purposes of gender affirmation. This measure will assess the impacts of mandatory coverage of certain gender-affirming treatments prior to its enactment as is the practice when proposing mandated health insurance coverage for specific health coverage.

Your Committee notes that, per the testimony of the Insurance Commissioner before your Committee, the contents of the Auditor's impact assessment report should include, among other things, an actuarial analysis of the effect this measure would have on insurance premiums and the cost of any defrayals the State

may be liable for in the future.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 285, H.D. 1, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 508 Consumer Protection & Commerce on H.B. No. 550

The purpose of this measure is to:

- (1) Require and establish deadlines for state facilities, except smaller facilities and facilities at Aloha Stadium, to implement cost-effective energy efficiency measures;
- (2) Direct the Hawaii State Energy Office to collect utility bill and energy usage data for state-owned buildings and make the data publicly available;
- (3) Establish a goal for the State to achieve at least a twenty-five percent reduction in the electricity consumption of state facilities;
- (4) Provide that certain agencies that perform energy efficiency retrofitting may continue to receive appropriations for energy expenditures; and
- (5) Beginning July 1, 2022, require, where feasible and cost-effective, the design of all new state building construction to maximize energy and water efficiency, maximize energy generation potential, and use building materials that reduce the carbon footprint of the project.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Hawai'i Energy, 350Hawaii.org, Ulupono Initiative, Climate Protectors Hawaii, Blue Planet Foundation, International Association of Plumbing and Mechanical Officials, and one individual. Your Committee received comments on this measure from the Department of Accounting and General Services and Department of Education.

Your Committee finds that the State has established multiple goals to reduce the consumption of fossil fuels and the emissions of carbon with the renewable portfolio standards goals and Zero Emissions Clean Economy Target. Your Committee further finds that the State should act as a leader in the goal to reduce the consumption of fossil fuels and the emissions of carbon. This measure helps to achieve those goals through smart energy management by reducing energy usage in certain state facilities.

Your Committee has amended this measure by:

- (1) Clarifying provisions relating to the applicability of the simple payback period as it relates to energy efficiency implementation for state facilities;
- (2) Clarifying that state facilities may take energy savings actions earlier than January 1, 2023, and January 1, 2025, respectively; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 550, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 550, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 509 Consumer Protection & Commerce on H.B. No. 561

The purpose of this measure is to:

- (1) Require the Public Utilities Commission to determine whether analysis of the effect of the State's reliance on fossil fuels is necessary for proceedings involving water, wastewater, or telecommunications providers on an individual basis; and
- (2) Provide that the analysis is not required for an electric or a gas utility's routine system replacements or determinations that do not directly pertain to capital improvements or operations.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Public Utilities Commission; and Hawaiian Electric Company, Inc.

Your Committee finds that the Public Utilities Commission is statutorily required to consider the effect of the State's reliance on fossil fuels on price volatility, export of funds for fuel imports, fuel supply reliability risk, and greenhouse gas emission when the Commission makes determinations on the reasonableness of the costs of utility system capital improvements and operations. This analysis promotes the State's goal in achieving its carbon negative target by 2045 and helps to mitigate the damaging effects of sea level rise due to greenhouse gas emission. However, your Committee further finds that this analysis may not be relevant in many circumstances for certain public utilities and this analysis should therefore be done only when appropriate. This measure will allow the Commission to operate more efficiently, while still fulfilling its statutory duty.

Your Committee has amended this measure by:

- (1) Clarifying provisions relating to the Public Utilities Commission's analysis in determining the reasonableness of the costs of utility system capital improvements and operations to avoid excluding indirect costs from statutory guidance; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 561, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 561, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 510 Consumer Protection & Commerce on H.B. No. 552

The purpose of this measure is to:

- (1) Require that the procurement policy for all agencies purchasing or leasing medium- and heavy-duty motor vehicles be to seek vehicles that reduce dependence on petroleum-based fuels that meet the needs of the agency, where feasible and cost-effective;
- (2) Establish clean ground transportation goals for state agencies on a staggered basis until achieving a complete inventory of clean state-owned, light-duty

motor vehicles by December 31, 2035; and

- (3) Require state and county agencies to purchase building materials that reduce the carbon footprint of the project for use on the construction of new roads, where feasible and cost-effective.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii State Energy Office, Imua Alliance, Hawaiian Electric Company, Ulupono Initiative, Alliance for Automotive Innovation, Climate Protectors Hawaii, Blue Planet Foundation, Environmental Caucus of the Democratic Party of Hawai'i, Hawaii Automobile Dealers Association, Hawaii Electric Vehicle Association, and two individuals. Your Committee received comments on this measure from the State Procurement Office and 350Hawaii.org.

Your Committee finds that the State has established multiple goals to reduce the consumption of fossil fuels and carbon emissions with its renewable portfolio standards goals and Zero Emissions Clean Economy Target. Your Committee further finds that the State should act as a leader in efforts to reduce the consumption of fossil fuels and carbon emissions. This measure helps to achieve those goals by transitioning State-owned vehicles from fossil fuel-powered motor vehicles to renewable energy-powered motor vehicles.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 552, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 511 Consumer Protection & Commerce on H.B. No. 433

The purpose of this measure is to:

- (1) Assess a climate change mitigation impact fee on every customer who rents, leases, or utilizes a rental motor vehicle;
- (2) Establish the Climate Change Mitigation Special Fund; and
- (3) Designate the uses of the monies in the Climate Change Mitigation Special Fund.

Your Committee received testimony in support of this measure from the Hawaii Climate Change Mitigation and Adaptation Commission, Hawai'i Youth Climate Coalition, Imua Alliance, Surfrider Foundation – O'ahu Chapter and Maui Chapter, Climate Protectors Hawaii, Blue Planet Foundation, Pono Hawai'i Initiative, Hawaii Electric Vehicle Association, and numerous individuals. Your Committee received testimony in opposition to this measure from Enterprise Holdings and Avis Budget Group. Your Committee received comments on this measure from the Department of Health, Department of Transportation, Office of Planning, and Tax Foundation of Hawaii.

Your Committee finds that the State is committed to expanding strategies and mechanisms to reduce greenhouse gas emissions through the reduction of energy use, adoption of renewable energy, and control of air pollution. Your Committee further finds that ground transportation accounts for a substantial amount of greenhouse gas emissions in the State. This measure establishes a climate change mitigation impact fee on rental vehicles to be used for mitigating climate change and protecting the environment.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 433, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 512 Judiciary & Hawaiian Affairs on H.B. No. 22

The purpose of this measure is to amend the fines assessed:

- (1) Against noncandidate committees for violations of organizational report requirements; and
- (2) For violations of advertisement notice requirements.

Your Committee received comments on this measure from the Campaign Spending Commission and Common Cause Hawaii.

Your Committee finds that this measure improves accountability in the conduct of noncandidate committees during election campaigns.

Your Committee has amended this measure by:

- (1) Deleting language that would have amended the maximum fine for campaign advertisements that are broadcast, televised, circulated, published, distributed, or otherwise communicated without the proper information; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 22, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 22, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 513 Judiciary & Hawaiian Affairs on H.B. No. 63

The purpose of this measure is to reclassify or abolish certain non-general funds of the Department of the Attorney General and transfer the remaining unencumbered balances in these funds to the general fund.

Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that this measure implements recommendations made by the Auditor in the Auditor's Report No. 19-16 pertaining to the Department of the Attorney General.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 63, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 514 Judiciary & Hawaiian Affairs on H.B. No. 203

The purpose of this measure is to authorize the issuance of general obligation bonds to fund construction costs of a water storage and distribution system and related improvements on agricultural lands owned by the office of Hawaiian affairs in Wahiawa, Oahu, surrounding the Kukaniloko birthing stones site.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Agribusiness Development Corporation, Kūpuna for the Mo'opuna, Wai'anae Community Re-Development Corporation, MA'O Organic Farms, Hawaii Applesseed Center for Law & Economic Justice, Hawaii Farm Bureau, and thirteen individuals.

Your Committee finds that the water storage and distribution system envisioned in this measure will enable the Office of Hawaiian Affairs to take a significant step forward in the development of its Wahiawa property and will advance diversified agriculture, food security, and cultural preservation in Central Oahu, thereby providing a model for sustainable agricultural development throughout the islands.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 203, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 515 Judiciary & Hawaiian Affairs on H.B. No. 357

The purpose of this measure is to establish a two-year statute of limitations for all actions for a regulatory taking against the State, including a claim brought under article I, section 20, of the Hawaii State Constitution, regarding eminent domain.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that a recent Hawaii Supreme Court decision, *DW Aina Le'a Dev., LLC v. State Land Use Comm'n*, 148 Haw. 396, 477 P.3d 836, 837 (2020), held that the statute of limitations for a regulatory taking is six years, pursuant to Hawaii's catch-all statute of limitations for personal actions. This measure would establish that regulatory takings claims are subject to the same two-year statute of limitations as other monetary claims against the State. Your Committee further finds that the two-year statute of limitations should apply to all types of inverse condemnation claims, regulatory and physical, since both can subject the State to high financial exposure. Establishing a two-year state of limitations for inverse condemnation claims will allow the State to take remedial measures to limit liability.

Your Committee has amended this measure by:

- (1) Changing the phrase "regulatory taking" to "inverse condemnation" to clarify that all types of inverse condemnation, physical and regulatory, are subject to the two-year statute of limitations; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 357, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 357, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 516 Judiciary & Hawaiian Affairs on H.B. No. 601

The purpose of this measure is to improve public safety and efficiency by authorizing:

- (1) The Chairperson of the Board of Land and Natural Resources to designate state employees or contractors; and
- (2) County police chiefs to designate other county employees or contractors, to cite for certain traffic violations.

Your Committee received testimony in support of this measure from the Department of Transportation, Office of the Mayor of the County of Kauai, National Tropical Botanical Garden, and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the shortage of police officers across Hawaii constrains county police departments' ability to enforce traffic and safety violations. This measure will provide additional persons with the authority to issue traffic citations, thereby improving traffic safety in the State.

Your Committee has amended this measure by:

- (1) Deleting language that would authorize the Chairperson of the Board of Land and Natural Resources to designate state employees or contractors to cite for certain traffic violations;
- (2) Deleting language that would authorize the county police chiefs to designate contractors to cite for certain traffic violations; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that any additional responsibilities for county employees pursuant to this measure would have to be worked out through negotiated agreements.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 601, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 601, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Ward). Noes, none. Excused, none.

SCRep. 517 Judiciary & Hawaiian Affairs on H.B. No. 680

The purpose of this measure is to include the use of traditional Hawaiian burial practices in the treatment and disposal of human remains, including the use of alkaline hydrolysis, water cremation, and natural organic reduction.

Your Committee received testimony in support of this measure from the Willd Body Program of the University of Hawaii; Ken Ordenstein Funerals; Aloha Mortuary; Fisher & Associates Consulting, LLC; and eight individuals. Your Committee received testimony in opposition to this measure from the Hawaii Funeral and Cemetery Association, Inc.; Dodo Mortuary, Inc.; Mililani Group, Inc.; Hawaiian Memorial Life Plan, Ltd; and Leeward Funeral Home.

Your Committee finds that the State should promote greater cultural perpetuation of traditional Hawaiian practices, including traditional Hawaiian burials. Not only do traditional Hawaiian burials play a critical role in Hawaiian culture, they also offer a cost-effective and environmentally friendly alternative to modern treatments of human remains.

Your Committee has amended this measure by:

- (1) Removing the definition of "cremation equipment" as the definition is unnecessary;
- (2) Removing unnecessary references to "water cremation", "cremains", and "ashes"; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 680, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.B. No. 680, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Ward). Noes, none. Excused, 2 (Takumi, Tokioka).

SCRep. 518 Judiciary & Hawaiian Affairs on H.B. No. 726

The purpose of this measure is to temporarily:

- (1) Require every person in the State to wear a face covering when in a public setting, subject to certain exemptions; and
- (2) Establish a fine for failure to wear a face covering when required.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Union Airline Workers of the International Association of Machinist and Aerospace Workers, Hawaii Pacific Health, The Queen's Health Systems, Hawaii Community Foundation, Hawaii Medical Service Association, Hawai'i Public Health Institute, Hawaii Lodging & Tourism Association, Hawai'i Restaurant Association, Hawaii Quarantine Kapu Breakers, and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii County Assembly, Aloha Festival, and numerous individuals. Your Committee received comments on this measure from the Department of Health, Department of Commerce and Consumer Affairs' Division of Financial Institutions, Hawaii Emergency Management Agency, Hawaii Food Industry Association, Retail Merchants of Hawaii, and Chamber of Commerce Hawaii.

Your Committee finds that the coronavirus disease 2019 (COVID-19) mainly spreads from person to person through respiratory droplets that travel into the air when a person coughs, sneezes, or talks. Face coverings act as a barrier to help prevent respiratory droplets from reaching others and studies have shown that masks reduce the spray of droplets when worn properly over the nose and mouth. Your Committee believes that mandating everyone to wear face coverings, in addition to other preventative measures, will slow the spread of COVID-19, thereby ensuring the health and safety of everyone in Hawaii and helping restore the economy. Although face coverings will be mandated, your Committee recognizes that it may be necessary for people to temporarily uncover their face to confirm identification in some situations.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should the Committee on Finance deliberate on this measure, your Committee on Judiciary & Hawaiian Affairs respectfully requests that it consider extending the repeal date of this measure to January 31, 2022, to provide the Legislature with the opportunity to address this issue at the next regular session if necessary.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 726, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 726, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Ward). Noes, 1 (D. Kobayashi). Excused, none.

SCRep. 519 Judiciary & Hawaiian Affairs on H.B. No. 753

The purpose of this measure is to exclude housing developed by the Department of Hawaiian Home Lands from school impact fees.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands. Your Committee received comments on this measure from the Department of Education and Tax Foundation of Hawaii.

Your Committee finds that excluding housing developed by the Department of Hawaiian Home Lands from school impact fees could result in more homes being developed for the beneficiaries of the Department of Hawaiian Home Lands and help get beneficiaries off the wait list and into housing.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 753, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (LoPresti). Noes, none. Excused, 2 (Takumi, Tokioka).

SCRep. 520 Judiciary & Hawaiian Affairs on H.B. No. 838

The purpose of this measure is to clarify the jurisdiction of the Hawaii Civil Rights Commission. Specifically, this measure:

- (1) Clarifies the intent for a state law counterpart for disability discrimination in federally-funded programs and services; and
- (2) Excludes jurisdiction over programs or activities that are covered by the Individuals with Disabilities Education Act.

Your Committee received testimony in support of this measure from the Hawaii Civil Rights Commission, Disability and Communication Access Board, Hawaii Disability Rights Center, National Federation of the Blind of Hawaii, and one individual. Your Committee received comments on this measure from one individual.

Your Committee finds that Hawaii has a long history of enacting state civil rights protections that complement and provide stronger protections than federal law. Your Committee further finds that Hawaii's civil rights laws, including those analogous to federal law, are critically important because the State's civil rights values and priorities may not match federal interpretations.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in

accord with the intent and purpose of H.B. No. 838, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 521 Judiciary & Hawaiian Affairs on H.B. No. 779

The purpose of this measure is to reduce the effect of harmful pesticides in the State by:

- (1) Requiring the Department of Agriculture, in consultation with the Department of Health, to develop and implement a one-time, low-cost pesticide disposal collection program; and
- (2) Increasing the administrative and criminal penalties for violating the State's pesticides law.

Your Committee received testimony in support of this measure from the Department of Health; Hawai'i Farm Bureau; Larry Jefts Farms, LLC; Imua Alliance; Hawaii Alliance for Progressive Action; Hawaii Crop Improvement Association; and six individuals. Your Committee received comments on this measure from the Department of Agriculture, Hawaii Pest Control Association, and CropLife America.

Your Committee finds that waste chemicals can become a serious public health and environmental threat when not managed properly and if accumulated for long periods of time. Your Committee further finds that legal pesticide disposal options are limited in Hawaii, and the longer waste pesticides are left unmanaged, the more likely the container will leak, the label will become unreadable, someone will be exposed, or the chemicals will leach into the ground or wash into nearby waterways. This measure therefore has the potential to provide environmental and human health benefits for the community by removing threats to residents, waterways, and the environment.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 779, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 779, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Takumi, Tokioka).

SCRep. 522 Economic Development on H.B. No. 75

The purpose of this measure is to allow an organization to qualify for grants under chapter 42F, Hawaii Revised Statutes, if the organization spends at least ninety percent of its operating budget in the State.

Your Committee received testimony in support of this measure from the Office of the Mayor of the County of Kaua'i, Hanalei Watershed Hui, Waipā Foundation, National Tropical Botanical Garden, Laukahi: Hawai'i Plant Conservation Network, and seven individuals. Your Committee received comments on this measure from the Office of Community Services.

Your Committee finds that under existing law, a nonprofit organization must be incorporated in the State in order to be eligible to receive grants under chapter 42F, Hawaii Revised Statutes. This measure ensures that all nonprofit organizations that are doing work that benefits the State and are in good standing, regardless of where the organizations are incorporated, are eligible to receive state funding through such grants.

Your Committee has amended this measure by:

- (1) Deleting language that would have allowed an organization to qualify for a grant under chapter 42F, Hawaii Revised Statutes, if the organization spends at least ninety percent of its operating budget in the State;
- (2) Inserting language that allows an organization to qualify if the organization is registered with the Department of Commerce and Consumer Affairs and in possession of a valid certificate of vendor compliance issued by the State; and
- (3) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 75, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 75, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 523 Economic Development on H.B. No. 133

The purpose of this measure is to increase the Capital Gains Tax threshold from 7.25 percent to nine percent.

Your Committee received testimony in support of this measure from the Young Progressives Demanding Action, Americans for Democratic Action Hawai'i, Planned Parenthood Votes Northwest and Hawaii, Pono Hawai'i Initiative, Imua Alliance, Democratic Party of Hawai'i Education Caucus, Hawai'i Health & Harm Reduction Center, Hawaii State Teachers Association, Hawaii Children's Action Network Speaks!, Hawai'i Budget & Policy Center, and eighteen individuals. Your Committee received testimony in opposition to this measure from the Honolulu County Republican Party; Kauai Sea Farms, LLC; and five individuals. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the economic impact of the COVID-19 pandemic will require the State to look for additional ways to make up for the loss of state revenues, such as an increase in the Capital Gains Tax. This measure provides the State with such an option through the collection of additional revenue, which can be used to support the critical programs and services that serve the general public.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 133, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 133, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, 1 (Okimoto). Excused, none.

SCRep. 524 Economic Development on H.B. No. 555

The purpose of this measure is to:

- (1) Require retailers of household appliances to conspicuously display available energy efficiency rebates funded by the public benefits fee and state-specific energy operation costs;
- (2) Direct the Public Benefits Fee Administrator to create and update the template to be used by retailers; and
- (3) Require the Hawaii State Energy Office to publish signage requirements for household appliances on its website and provide a draft notification letter to the Public Benefits Fee Administrator to be distributed to retailers.

Your Committee received testimony in support of this measure from the Blue Planet Foundation, Hawai'i Energy, and Climate Protectors Hawaii. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii. Your Committee received comments on this measure from the Hawaii State Energy Office and Public Utilities Commission.

Your Committee finds that the State's high cost of living underscores the importance of adopting policies that promote energy efficiency. This measure provides further opportunities to educate consumers about the benefits of energy efficiency, including reduced energy costs and available rebates.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 555, H.D. 1, and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Holt, Belatti, D. Kobayashi, Onishi, Sayama, Takayama, Okimoto). Noes, none. Excused, none.

SCRep. 525 Economic Development on H.B. No. 1043

The purpose of this measure is to amend chapter 237D, Hawaii Revised Statutes, relating to the transient accommodations tax by:

- (1) Repealing the misdemeanor criminal penalty for failing to register under that chapter and replacing it with a monetary fine structure;
- (2) Replacing references to operator or plan manager with person or taxpayer;
- (3) Clarifying that a certificate of registration is required for persons who post advertisements for the furnishing of a transient accommodation;
- (4) Making the personal liability provision under the general excise tax law applicable to the transient accommodations tax; and
- (5) Making various other technical amendments.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that the transient accommodations tax serves as an important source of revenue for the State. This measure assists the Department of Taxation in the imposition of the transient accommodations tax by simplifying and streamlining certain provisions and processes.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1043, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1043, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 526 Economic Development on H.B. No. 900

The purpose of this measure is to enable the use of funds from the Brownfields Cleanup Revolving Loan Fund for environmental site assessments and for sub-grants to eligible entities for assessment and cleanup of brownfields.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Health; Office of Planning; and Department of Planning and Permitting for the City and County of Honolulu.

Your Committee finds that brownfields are often underutilized due to contamination or perceived contamination that hinders redevelopment. Expanding the use of the Brownfields Cleanup Revolving Loan Fund to enable sub-grants for cleanups, environmental site assessments, and related activities will benefit local communities by having more land to be developed for affordable housing, public parks, and open areas.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 900, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 527 Economic Development on H.B. No. 681

The purpose of this measure is to:

- (1) Establish linked investments to provide loans for agriculture;
- (2) Authorize the Director of Finance to commit no more than \$5,000,000 of certain monies available in the state treasury for the creation of linked investments through agreements with eligible lending institutions; and
- (3) Appropriate funds to the Department of Budget and Finance to hire one position to administer the Linked Investment Program.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that as the State attempts to diversify its economy, finding creative and innovative ways to support agriculture in the State will be critical. By providing an alternative loan program for agriculture in the State, this measure helps to expand Hawaii's agriculture-based economy by providing

local farmers with access to capital, which can be used to increase their production capacity.

Your Committee has amended this measure by 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 681, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 681, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Sayama, Okimoto). Noes, 1 (Onishi). Excused, none.

SCRep. 528 Economic Development/Housing on H.B. No. 1146

The purpose of this measure is to:

- (1) Extend the period in which a county may adopt a surcharge on state tax, under certain conditions, from March 31, 2019, to December 31, 2021; and
- (2) Authorize the use of county surcharge revenues for affordable and workforce housing infrastructure.

Your Committees received testimony in support of this measure from the Mayor of the County of Maui. Your Committees received comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, and Maui Chamber of Commerce.

Your Committees find that the State is experiencing a severe shortage of affordable housing for local residents, particularly on the neighbor islands. This measure would provide more flexibility to counties with smaller populations in the use of revenues generated from their surcharges on the state general excise tax and use tax for affordable and workforce housing infrastructure.

Your Committees have amended this measure by:

- (1) Clarifying that the county surcharge on state tax may not be levied prior to January 1, 2023, if the county surcharge on state tax was established by the adoption of an ordinance on or after March 31, 2019, but prior to December 31, 2021; and
- (2) Changing the effective date to January 1, 2055, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Economic Development and Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1146, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1146, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Economic Development: Ayes, 6; Ayes with Reservations (Sayama). Noes, 1 (Onishi). Excused, 1 (Quinlan).

Housing: Ayes, 7; Ayes with Reservations (DeCoite). Noes, none. Excused, 1 (McDermott).

SCRep. 529 Government Reform on H.B. No. 143

The purpose of this measure is to:

- (1) Exempt candidates who are either unsuccessful or elected to office in a primary election from the requirement to file preliminary general reports for the following general election; and
- (2) Clarify the aggregate contribution and expenditure amounts that trigger the requirement for a candidate or noncandidate committee to file only the final election period report.

Your Committee received testimony in support of this measure from the Campaign Spending Commission.

Your Committee finds that reporting requirements under campaign finance law are important to maintain transparency and fairness in elections. Your Committee further finds that preliminary reports are due throughout the spring, summer, and fall in an election year. However, the final two preliminary reports are due between the primary election and subsequent general election. Your Committee therefore finds that requiring candidates who are either unsuccessful or who have been elected to office in a primary election to file preliminary reports between the primary and general election is unnecessary.

Your Committee has amended this measure by changing the effective date to July 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 143, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 143, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 4 (Mizuno, Woodson, Yamashita, Ward).

SCRep. 530 Government Reform on H.B. No. 353

The purpose of this measure is to:

- (1) Require the Legislature to consider whether counties have maximized their existing sources of revenue prior to appropriating monies as a grant-in-aid to the counties; and
- (2) Require any county that provides tax credits or tax exemptions to report to the Legislature prior to the beginning of a Regular Session with a calculation of revenues that the county did not receive as a result of each tax credit or tax exemption provided by the county in the preceding fiscal year.

Your Committee received testimony in support of this measure from the Office of Community Services and one individual. Your Committee received comments on this measure from one individual.

Your Committee finds that this measure is intended to improve the effectiveness of grant applications made by the counties to the State. Requiring the counties to report to the Legislature regarding a calculation of tax revenues each county did not receive as a result of tax credits or tax exemptions will promote fiscal responsibility and good government.

Your Committee has amended this measure by:

- (1) Removing language that would require the Legislature to consider whether counties have maximized their existing sources of revenue prior to appropriating monies as a grant-in-aid to the counties;
- (2) Changing its effective date to July 1, 2112, to encourage further discussion; and

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

Your Committee notes that this measure, as introduced, requires the Legislature to consider whether each county has maximized all of its sources of revenue prior to appropriating monies as a grant-in-aid to the counties. Your Committee recognizes that a current Legislature cannot bind future Legislatures with future legislation to be passed and has accordingly amended this measure to remove those provisions.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 353, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 353, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 3 (Mizuno, Woodson, Ward).

SCRep. 531 Government Reform on H.B. No. 671

The purpose of this measure is to, beginning January 1, 2022, prohibit certain state officials and employees from representing certain interests before the State for twelve months after termination from their respective positions.

Your Committee received testimony in support of this measure from Common Cause Hawaii and eight individuals. Your Committee received comments on this measure from the Hawaii State Ethics Commission.

Your Committee finds that it is in the public interest to keep a distinct wall of separation between lobbyists and the State's elected officials and certain other government employees. Your Committee further finds that this measure promotes good government by prohibiting elected officials, employees of the legislature, and certain other high-ranking state officials from representing other interests before the State or before former colleagues with whom they have served, for twelve months after termination from their respective government positions.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (2) 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 Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 671, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 671, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 532 Government Reform on H.B. No. 741

The purpose of this measure is to increase the retention period for certain lobbying records filed with the Hawaii State Ethics Commission from four years to five years.

Your Committee received comments on this measure from the Hawaii State Ethics Commission.

Your Committee finds that with the advent of cloud storage, data warehouses, and other modern retention technology, the ability to keep records in perpetuity is not an undue burden for the Hawaii State Ethics Commission and will ensure transparency and historical accuracy.

Your Committee has amended this measure by:

- (1) Requiring the Hawaii State Ethics Commission to permanently retain certain lobbying records, rather than for a certain period of time; and
- (2) Changing its effective date to July 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 741, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 741, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 533 Government Reform on H.B. No. 1054

The purpose of this measure is to amend the cash or protest bond amount for a party initiating an administrative proceeding for review under the Hawaii Public Procurement Code.

Your Committee received testimony in support of this measure from the Department of Transportation and Airlines Committee of Hawaii. Your Committee received testimony in opposition to this measure from the Subcontractors Association of Hawaii. Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that the current cash or protest bond amount for a party initiating an administrative proceeding for review under the Hawaii Public Procurement Code is too low for public works projects. The Hawaii Public Procurement Code was established to provide fairness to the public, increase public confidence, and foster broad-based competition, fiscal responsibility, and efficiency in the procurement process. Your Committee further finds that unfounded and frivolous protests impact procuring agencies by delaying projects, which may cause funding to lapse and project costs to increase.

Your Committee has amended this measure by:

- (1) Requiring the cash or protest bond amount to be:
 - (A) One percent of the estimated value of the contract if the contract's estimated value is less than \$1,000,000; and
 - (B) Two percent of the estimated value of the contract if the contract's estimated value is \$1,000,000 or more; and
- (2) Changing the effective date to July 1, 2112, to encourage further discussion.

Your Committee agrees with the concerns raised by the Subcontractors Association of Hawaii that the cash or protest bound amounts proposed by this measure, as originally drafted, were too high. The high amounts may be too large a burden to take for a contractor if that contractor finds that something has gone awry with the procurement process. Your Committee has accordingly amended the cash or protest bound amount in light of these concerns and to

encourage continued conversation on this amended measure.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1054, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1054, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 534 Government Reform on H.B. No. 1067

The purpose of this measure is to permanently establish the authority of the University of Hawaii President to act as the Chief Procurement Officer for the University of Hawaii for all procurement contacts under the Hawaii Public Procurement Code.

Your Committee received testimony in support of this measure from the University of Hawai'i System and General Contractors Association of Hawaii.

Your Committee finds that Act 87, Session Laws of Hawaii 2013 (Act 87), was enacted to, among other things, remove the authority of the University of Hawaii President to serve as the Chief Procurement Officer for construction contracts and construction-related professional services contracts and transferred those responsibilities to the Administrator of the State Procurement Office. This resulted in a bifurcated procurement structure at the University of Hawaii in which a different set of rules and procedures applied for goods and services and for construction-related professional services.

Your Committee further finds that a January 2016 report by the State Procurement Office, issued pursuant to Act 87, found that the University of Hawaii was conducting construction procurements in a "compliant, efficient, and transparent manner." Act 42, Session Laws of Hawaii 2018, reinstated and restored full authority to the University of Hawaii President to serve as the University's Chief Procurement Officer for all procurement contracts under the Hawaii State Procurement Code and projects have been streamlined and greatly improved; however, that authority is set to expire on June 30, 2021. This measure makes this authority permanent.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1067, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Eli, Ward).

SCRep. 535 Government Reform on H.B. No. 1118

The purpose of this measure is to require any organization, association, party, or individual that is financially involved in the political process to file a financial disclosure with the Campaign Spending Commission.

Your Committee received testimony in opposition to this measure from the Campaign Spending Commission.

Your Committee finds that dark money is defined as funds raised for the purpose of influencing elections by nonprofit organizations that are not required to disclose the identities of their donors and may come from Internal Revenue Code 501(c)(4) organizations that are not required to disclose the identity of their donors. Your Committee further finds that Internal Revenue Code 501(c)(4) organizations are tax-exempt as a social welfare organization, must not be organized for profit, and must be operated exclusively to promote social welfare. The promotion of social welfare does not include direct or indirect participation or intervention in political campaigns on behalf of or in opposition to any candidate for public office. However, the Internal Revenue Code states that social welfare organizations may engage in some political activities, so long as that is not their primary activity, which allows 501(c)(4) organizations to engage in and spend unregulated amounts of money on political activity without any consequences or oversight, conceivably well above the political activity percentage threshold allowed.

Your Committee believes that this measure will provide more transparency in elections and build trust between the public and elected officials through transparent information by requiring any organization, including 501(c)(4) organizations, that is financially involved in the political process to file with the Campaign Spending Commission a financial disclosure.

Your Committee has amended this measure by:

- (1) Restoring existing statutory language that, under certain circumstances, required a schedule filed by a noncandidate committee to the Campaign Spending Commission to include an acknowledgement that an entity contributing funds to a noncandidate committee is not subject to any state or federal disclosure reporting requirements regarding the source of the contributing entity's funds;
- (2) Requiring noncandidate committees to provide to the Campaign Spending Commission a list of donors whose money was given by a 501(c)(4) organization to the noncandidate committee to fund an advertisement or electioneering communication;
- (3) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1118, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1118, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 3 (Mizuno, Woodson, Ward).

SCRep. 536 Water & Land on H.B. No. 95

The purpose of this measure is to authorize the issuance of special license plates for recognition and protection of the State's natural resources.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Fishermen's Alliance for Conservation and Tradition, and thirteen individuals.

Your Committee finds that special license plates allow for individuals to directly support certain programs through revenue generated fundraising fees. Your Committee urges the Department of Land and Natural Resources to work with local artists in the designing of the special license plates authorized by this measure.

Your Committee has amended this measure by 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 Water & Land that is attached to this report, your Committee is in accord with the

intent and purpose of H.B. No. 95, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 95, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 537 Water & Land on H.B. No. 1351

The purpose of this measure is to authorize the Department of Land and Natural Resources to establish and operate conservation mitigation banks to restore, create, enhance, or preserve conservation habitats or resources as compensatory mitigation where a person is required to provide compensatory mitigation prospectively and the use of banked mitigation is approved by the agency requiring mitigation, or for past damages to conservation habitats or resources.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Environmental Caucus of the Democratic Party of Hawai'i, Hawaii Reef and Ocean Coalition, and six individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that conservation mitigation banking has the advantage of reducing uncertainty about whether compensatory mitigation will be successful in offsetting project impacts; assembling and applying extensive financial resources, planning, and scientific expertise; reducing permit processing times and providing more cost-effective compensatory mitigation opportunities; and enabling the efficient use of limited agency resources in the review and compliance monitoring of compensatory mitigation projects because of consolidation. Your Committee further finds that conservation mitigation banks would serve as a mechanism to restore or replace resources and ecological functions of habitats either prospectively or after they have already been damaged.

Your Committee has amended this measure by:

- (1) Specifying that the conservation mitigation banking proposed in this measure applies to entities as well as persons;
- (2) Further clarifying the sale of credits involved in conservation mitigation banking;
- (3) Adding a definition of "conservation mitigation bank";
- (4) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1351, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1351, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7; Ayes with Reservations (McDermott). Noes, none. Excused, 1 (Ohno).

SCRep. 538 Water & Land on H.B. No. 863

The purpose of this measure is to authorize the issuance of general obligation bonds for the Department of Land and Natural Resources' Forest Stewardship Program for fiscal year 2021-2022 to expand and increase existing plant stocks of state tree nurseries, renovate and update the equipment and facilities of the state tree nurseries, and conduct public outreach and education on the benefits of trees and plants in providing soil health and their uses in agricultural settings.

Your Committee received testimony in support of this measure from the University of Hawaii College of Tropical Agriculture and Human Resources, Our Revolution Hawaii, Trees for Honolulu's Future, Environmental Caucus of the Democratic Party of Hawai'i, and five individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee recognizes the importance of healthy soil for food security and ecosystem resilience against climate change. However, your Committee finds that the various tree nurseries across the State are in need of facilities and improvements that include greenhouses, irrigation, water catchment, and other infrastructure. The authorization and appropriation of general obligation bond funds for the Forest Stewardship Program will support stewardship, enhancement, conservation, and restoration of Hawai'i's forests.

Your Committee has amended this measure by:

- (1) Authorizing general obligation bonds for the 2021-2023 fiscal biennium rather than the 2021-2022 fiscal year;
- (2) Deleting the specific amount of the general obligation bond authorization and appropriation;
- (3) Amending the purpose for which the general obligation bond funds are authorized and appropriated;
- (4) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the amount of \$1,380,000 in general obligation bonds was authorized for fiscal year 2021-2022 in the measure as received by your Committee.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 863, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 863, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 539 Water & Land on H.B. No. 469

The purpose of this measure is to set a deadline for the transfer of certain non-agricultural park lands from the Department of Land and Natural Resources to the Department of Agriculture pursuant to Act 90, Session Laws of Hawaii 2003, and chapter 166E, Hawaii Revised Statutes, and to require the two departments to periodically meet to discuss the potential for future land transfers.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawaii Farm Bureau; Ulupono Initiative; Hawaii Crop Improvement Association; Local Food Coalition; GreenWheel Food Hub; Hawaii Aquaculture & Aquaponics Association; Hawaii Meats LLC; Maui County Farm Bureau; Hawaii Cattlemen's Council, Inc.; Maui Cattlemen's Association; McCandless Ranch; Kapapala Ranch; Kealia Ranch; Larry Jeffs Farms, LLC; Hawaii Youth Livestock Association; and numerous individuals. Your Committee received testimony in opposition to this measure from the Sierra Club of Hawaii and two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the importance of supporting local farmers and ranchers and strengthening the State's agricultural industry must be balanced with the need to protect Hawaii's environment and safeguard other public-lands priorities.

Your Committee has amended this measure by:

- (1) Requiring the Department of Agriculture, by January 1, 2022, to transmit to the Department of Land and Natural Resources a list of lands that it has identified as being disputed lands;
- (2) Requiring the Department of Land and Natural Resources to review the list;
- (3) In the event that the Department of Agriculture and Department of Land and Natural Resources disagree regarding the disputed lands, requiring the Board of Land and Natural Resources to establish a third-party advisory committee prior to any disposition or transfer of the disputed lands;
- (4) Requiring the third-party advisory committee to review the disputed lands proposed for disposition or transfer and determine whether any of the lands requested meet certain criteria;
- (5) Requiring the third-party advisory committee to determine whether the Department of Agriculture or Department of Land and Natural Resources is the appropriate agency for managing the parcel of land;
- (6) Requiring that, if the Department of Agriculture and Department of Land and Natural Resources are unable to reach a mutual agreement regarding the disposition or transfer of disputed lands, the disputed lands will remain under the jurisdiction and management of the Department of Land and Natural Resources until such time as a mutual agreement can be reached regarding their disposition;
- (7) Requiring that for lands for which the Department of Agriculture and Department of Land and Natural Resources reach a mutual agreement regarding their disposition, such lands will be transferred to the Department of Agriculture;
- (8) Requiring that beginning with the 2026-2027 fiscal year, and no less than every fifth fiscal year thereafter, the Department of Agriculture and Department of Land and Natural Resources will undertake the process set forth in paragraphs (1) through (7);
- (9) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (10) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 469, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 469, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Ganaden). Noes, none. Excused, 1 (McDermott).

SCRep. 540 Water & Land on H.B. No. 1019

The purpose of this measure is to conserve, restore, and enhance Hawaii's marine resources by:

- (1) Authorizing the Department of Land and Natural Resources to adopt rules pursuant to chapter 91, Hawaii Revised Statutes, to establish non-resident user fees for the use and enjoyment of the State's ocean resources; and
- (2) Establishing the Ocean Stewardship Special Fund to collect and use such monies.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; University of Hawaii Sea Grant Program; Office of Hawaiian Affairs; The Nature Conservancy, Hawaii Program; Hawaii Reef and Ocean Coalition; Friends of Hanauma Bay; Kua'aina Ulu Auamo; Hui Maka'ainana O Makana; Cates Marine Service, LLC; and four individuals. Your Committee received testimony in opposition to this measure from Alii Nui Charters, Dive Maui/Hawaiian Rafting Adventures, Extended Horizons Scuba, Teralani, Banyan Tree Divers Maui, Mike Severns Diving, Maui Diving -Scuba & Snorkel Center, Kolea Charters of Lahaina, and four individuals. Your Committee received comments on this measure from the Ocean Tourism Coalition and Pacific Whale Foundation.

Your Committee finds that Hawaii's ocean waters and marine resources are some of its most ecologically, economically, and culturally valuable assets, central to the State's \$7.8 billion outdoor recreation industry. Your Committee further finds that Hawaii's marine environment and resources are under increasing threat and that it is crucially important that the State has adequate resources to help ensure the health of its ocean ecosystems for present and future generations.

Your Committee has amended this measure by:

- (1) Statutorily establishing the ocean stewardship user fee to apply to residents as well as non-residents, instead of authorizing the Department of Land and Natural Resources to adopt rules pursuant to chapter 91, Hawaii Revised Statutes, to establish non-resident user fees;
- (2) Initially setting the ocean stewardship user fee at \$1 per passenger or customer and requiring that the user fee be adjusted every five years to match changes in the Consumer Price Index in the Honolulu area, as reported by the United States Bureau of Labor Statistics; provided that the fee cannot be adjusted more than ten percent every five years;
- (3) Delaying the collection of the ocean stewardship user fee until January 1, 2024;
- (4) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1019, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1019, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Kong). Noes, 1 (McDermott). Excused, 1 (Ohno).

SCRep. 541 Water & Land on H.B. No. 1021

The purpose of this measure is to authorize the Department of Land and Natural Resources to enter into the Interstate Wildlife Violator Compact or a similar agreement for mutual assistance in the enforcement of wildlife laws.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaiian Humane Society, Hawai'i

Reef and Ocean Coalition, Friends of Hanauma Bay, and For the Fishes.

Your Committee finds that the Interstate Wildlife Violator Compact is a multistate agreement that promotes enforcement of hunting, fishing, trapping, and other wildlife-related regulations across jurisdictions. The Interstate Wildlife Violator Compact establishes a reciprocal process that enables local law enforcement to take enforcement action against nonresident wildlife law violators who can therefore be treated as state residents for enforcement purposes. Your Committee further finds that forty-eight states have passed legislation needed to join the Interstate Wildlife Violator Compact and believes that it is time for Hawaii to join this effort.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1021 and recommends that it pass Second Reading and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 542 Water & Land on H.B. No. 1031

The purpose of this measure is to reduce the number of members who serve on the Hawaii Historic Places Review Board.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received testimony in opposition to this measure from the Historic Hawai'i Foundation.

Your Committee finds that the Hawaii Historic Places Review Board was established in 1980 to order and enter historic properties into the Hawaii Register of Historic Places and the National Register of Historic Places. The Hawaii Historic Places Review Board comprises a diverse cross-section of professionally qualified members from disciplines in archaeology, architecture, history, and sociology, and one person knowledgeable in traditional Hawaiian society and culture.

Your Committee further finds that it has been difficult to identify ten qualified and suitable candidates for board membership, which has led to delays in placing historic properties on the state register. There are currently two vacancies on the Hawaii Historic Places Review Board, with another two seats set to become vacant at the end of this fiscal year. Reducing the number of members from ten to seven will enable the Hawaii Historic Places Review Board to achieve quorum and take action.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1031 and recommends that it pass Second Reading and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 543 Water & Land on H.B. No. 1028

The purpose of this measure is to repeal the Koke'e State Park Advisory Council.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that the Koke'e State Park Advisory Council was tasked to review and assist in updating and revising the Koke'e State Park Master Plan, which was completed in 2014. Your Committee further finds that the Koke'e State Park Advisory Council has not met since then and has fulfilled its statutory purpose. Therefore, coupled with other pressing state priorities and limited resources in the face of the coronavirus pandemic, your Committee believes that repealing the Koke'e State Park Advisory Council will allow the State to focus its resources on more pressing matters.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1028 and recommends that it pass Second Reading and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 544 Water & Land on H.B. No. 1030

The purpose of this measure is to:

- (1) Repeal the Aquatic Life and Wildlife Advisory Committees under section 197-4, Hawaii Revised Statutes; and
- (2) Make conforming amendments to sections 197-1 and 197-2, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the Aquatic Life and Wildlife Advisory Committees were established in 1985 to consider matters affecting the taking and conservation of aquatic life and wildlife within each county. However, the Aquatic Life and Wildlife Advisory Committees have rarely convened or been needed. Therefore, repealing the Aquatic Life and Wildlife Advisory Committees in each county allows the State to reduce expenditures in the face of limited resources as a result of the coronavirus pandemic.

Your Committee has amended this measure by 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1030, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1030, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 545 Water & Land on H.B. No. 1029

The purpose of this measure is to repeal Act 15, Special Session Laws of Hawaii 2009, which, among other things, authorized the establishment of living park planning councils to develop a state living park master plan.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that according to the testimony of the Department of Land and Natural Resources, Act 15, Special Session Laws of Hawaii 2009, directly applied to Ahupua'a 'O Kahana State Park, which has an embedded residential leasehold community within the park. However, your Committee finds that after ten years and numerous meetings, the community-based planning council could not develop the framework for a master plan for the park.

Subsequently, the Department of Land and Natural Resources engaged the services of a private planning contractor to initiate the master planning process. Your Committee finds that a report was finalized in 2019, with three issues that needed resolution before proceeding on a master plan. To date, there has been no further discussion on a master plan or future date to reconvene the living park planning council. Your Committee finds that the foregoing reasons, coupled with other pressing state priorities and limited resources in the face of the coronavirus pandemic, support the repeal of Act 15, Special Session Laws of Hawaii 2009.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1029 and recommends that it pass Second Reading and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 546 Water & Land on H.B. No. 1274

The purpose of this measure is to:

- (1) Require the Department of Agriculture to allow for the permitted importation of northern largemouth bass and butterfly peacock bass into Hawaii; and
- (2) Require the Division of Aquatic Resources of the Department of Land and Natural Resources to establish a pilot project to restock the Wahiawa public fishing area in central Oahu with northern largemouth bass, butterfly peacock bass, or both.

Your Committee received testimony in support of this measure from the Wahiawa Community Based Development Organization dba Wahiawa Fresh!, Hawaii Freshwater Fishing Association, and four individuals. Your Committee received testimony in opposition to this measure from the Coordinating Group on Alien Pest Species. Your Committee received comments on this measure from the Department of Land and Natural Resources and Department of Agriculture.

Your Committee finds that this measure would bring environmental benefits to Lake Wilson and economic benefits to the surrounding Wahiawa community.

Your Committee has amended this measure by:

- (1) Deleting the requirement that the Department of Agriculture allow for the permitted importation of northern largemouth bass and butterfly peacock bass into Hawaii;
- (2) Removing the requirement that the Division of Aquatic Resources, through its own resources, establish the pilot project;
- (3) Requiring the Division of Aquatic Resources to apply to the Department of Agriculture for the permit to import the northern largemouth bass and work with another public entity or partner with a private entity to accomplish the pilot project;
- (4) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1274, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1274, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 547 Water & Land on H.B. No. 865

The purpose of this measure is to require the Auditor to conduct a comprehensive performance and management audit of the State Historic Preservation Division of the Department of Land and Natural Resources and submit a report to the Legislature prior to the convening of the Regular Session of 2022.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Department of Planning of the County of Kaua'i, Historic Hawai'i Foundation, and Building Industry Association of Hawaii. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the State Historic Preservation Division is responsible for administering a comprehensive historic preservation program, the scope of which includes development of a statewide inventory of historic properties, aviation artifacts, and burial sites; preparation, review, and revisions of state historic preservation plans; technical and financial assistance to the counties and public and private agencies involved in historic preservation activities; and regulation of archaeological activities throughout the State. The breadth of the State Historic Preservation Division's stewardship responsibilities is immense. Your Committee further finds that an audit will promote a better understanding of how the State Historic Preservation Division is fulfilling its role and whether its resources are adequate.

Your Committee has amended this measure by:

- (1) Clarifying that one of the issues to be evaluated by the Auditor is whether the review and response to submittals is completed within the timeframes established by rule;
- (2) Clarifying that current project review practices, rather than management practices, are to be audited;
- (3) Removing the reference to policies from the component relating to standardization of monitoring protocols; and
- (4) Changing the effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 865, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 865, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 548 Water & Land on H.B. No. 1346

The purpose of this measure is to require the Department of Agriculture, in coordination with the appropriate departmental agency, to prepare and periodically update a functional plan for seafood sustainability that expands the State's priority on food by including wild seafood as a viable food source.

Your Committee received testimony in support of this measure from the Hawaii Seafood Council; Hawai'i Fishermen's Alliance for Conservation and

Tradition, Inc.; Fishing Tales with Mike Sakamoto; and one individual. Your Committee received comments on this measure from the Department of Agriculture and Office of Planning.

Your Committee finds that food security and self-sufficiency are issues of growing importance in the State. By requiring that wild seafood be included as a viable food source in the State's agricultural functional plan, the Department of Agriculture can begin to research and coordinate efforts to regulate this valuable resource.

Your Committee has amended this measure by:

- (1) Specifying that the Department of Agriculture work in coordination with the Office of Planning to prepare and periodically update the agricultural functional plan;
- (2) Specifying that the agricultural functional plan includes agricultural economic updates, in which one is seafood sustainability;
- (3) Extending the deadline to report the agricultural functional plan to twenty days prior to the 2023 Regular Session;
- (4) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1346, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1346, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 549 Agriculture on H.B. No. 8

The purpose of this measure is to establish a Hawaii Food Security Initiative Program within the Department of Agriculture to:

- (1) Identify a plan for permanent food security for Hawaii, including deriving a majority of the State's food supply from locally-produced, sustainable, and regenerative sources by 2035;
- (2) Recommend additional steps necessary to help increase food security; and
- (3) Develop an assessment system to accurately determine how much food is locally produced in the State and how much food is imported into the State, using various criteria.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Hawaii Primary Care Association, Ulupono Initiative, and four individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that several portions of this measure are already being undertaken by the Department of Agriculture pursuant to Act 151, Session Laws of Hawaii 2019 (Act 151), which is an ongoing project that directs the Department to develop a strategic plan that identifies benchmarks for increased food production in Hawaii and increased exports of food crops and value-added agricultural products from Hawaii.

Your Committee has amended this measure by:

- (1) Deleting its substantive contents;
- (2) Making identifying lands for producing food crops that may be grown locally using conventional, sustainable, and regenerative practices to replace imports one of the goals of the Department of Agriculture's strategic plan pursuant to Act 151;
- (3) Changing its effective date to July 1, 3000, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 8, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 8, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 550 Agriculture on H.B. No. 236

The purpose of this measure is to extend the sunset dates for the Pesticide Subsidy Program and Pesticide Subsidy Program Manager position to enable the program to:

- (1) Continue assisting coffee growers in responding to the newly discovered coffee leaf rust;
- (2) Continue assisting coffee growers in managing the coffee berry borer infestation; and
- (3) Add control methods for coffee leaf rust as an eligible reimbursable item.

Your Committee received testimony in support of this measure from the Department of Agriculture, University of Hawai'i System, Rancho Aloha, Synergistic Hawaii Agriculture Council, Hawai'i Farm Bureau, Kona Coffee Farmers Association, and six individuals.

Your Committee finds that the coffee berry borer, an invasive beetle, has been found on all islands in the State. In 2020, coffee leaf rust was discovered for the first time in the State on the islands of Maui and Hawaii. Your Committee further finds that these two pests threaten the viability of the State's entire coffee industry, which represents one of the largest agricultural crops in the State and is a highly valued part of Hawaii's economy. The two-year extension of the Pesticide Subsidy Program and Pesticide Subsidy Program Manager position proposed by this measure will allow the State to continue to subsidize the cost of pesticides best shown to combat coffee berry borers and coffee leaf rust, thus incentivizing coffee growers to adopt recommended pest management strategies.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 236 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 551 Agriculture on H.B. No. 515

The purpose of this measure is to require the Auditor to conduct an audit of the School Food Services Branch of the Department of Education to determine how much local produce is being purchased and served to students in the Department's school cafeterias.

Your Committee received testimony in support of this measure from the Department of Education, Ulupono Initiative, Hawai'i Farm Bureau, and two individuals.

Your Committee finds that this measure supports the use of locally sourced produce in the State's schools by requiring a baseline determination of where produce used by the School Food Services Branch is being purchased and if the produce is locally sourced. By providing these metrics, the Legislature will be better positioned to determine what increases may be warranted and how to set goals that are structured to yield outcomes that are nutritious for students and supportive of local farmers.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 515, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 552 Agriculture on H.B. No. 531

The purpose of this measure is to promote the growth and development of small businesses by requiring the Procurement Policy Board to adopt rules for criteria to provide preference to small businesses for the use of state agricultural lands.

Your Committee received testimony in opposition to this measure from the Department of Agriculture, State Procurement Office, and Hawaii Farm Bureau. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that this measure is intended to assist individuals and entities in finding appropriate farmland and increase the use of locally grown agricultural produce.

Your Committee has amended this measure by:

- (1) Reverting to the contents of this measure as it was introduced, which:
 - (A) Requires a state contract for the purchase of produce to include an option by a purchasing agency for the contractor supplying the produce to lease state agricultural land; and
 - (B) Establishes a process for the College of Tropical Agriculture and Human Resources of the University of Hawaii to identify appropriate land that may be leased to the contractor to grow the produce;
- (2) Changing its effective date to July 1, 3000, to encourage further discussion; 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 531, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 531, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 553 Agriculture on H.B. No. 770

The purpose of this measure is to protect the health of Hawaii's consumers by establishing a task force to review the State's food security and food safety practices.

Your Committee received testimony in support of this measure from the Hawaii Foodservice Alliance and four individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that this measure supports proper food handling, in compliance with the federal Food Safety Modernization Act, from source to point of sale. Aligning state health standards with federal health standards will help safeguard Hawaii consumers from food-borne illnesses and protect the State's most vulnerable populations from life-threatening sickness.

Your Committee has amended this measure by changing its effective date to July 1, 3000, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 770, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 770, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 554 Agriculture on H.B. No. 1271

The purpose of this measure is to:

- (1) Repeal the Agribusiness Development Corporation; and
- (2) Transfer all lands held by the Agribusiness Development Corporation and all of the Agribusiness Development Corporation's staff, except for the Executive Director, to the Department of Agriculture.

Your Committee received testimony in support of this measure from Animal Rights Hawai'i, Malama Moloa'a, Hawai'i SEED, Indigo Foundation, Clark Elements, Pele Lani Farm LLC, Pesticide Action Network North America, Hawai'i Alliance for Progressive Action, Food+ Policy Internship 2021, Environmental Caucus of the Democratic Party of Hawai'i, OrganicHawaii.org, and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of Agriculture; Agribusiness Development Corporation; Kaua'i Island Utility Cooperative; Friends of Waimanalo; Dole Food Co. Hawaii; Larry Jefts Farms, LLC; Lin's Farms; Kekaha Agriculture Association; Whitmore Economic Development Group; Umi's Farm; Hawaii Crop Improvement Association; Kaua'i Chamber of Commerce; Hawai'i Farm Bureau; Ho Farms; CropLife America; Biotechnology Innovation Organization; and numerous individuals. Your Committee received comments on this measure from Kalepa Coalition, Pono Hawai'i Initiative, North Shore Economic Vitality

Partnership, and two individuals.

Your Committee finds that the Agribusiness Development Corporation was established in 1994 to take a lead role in converting the State's agricultural lands from plantations producing mainly pineapple and sugar for export to more economically viable farms. Your Committee further finds that a recent audit report from the Office of the Auditor found that the Agribusiness Development Corporation has not taken critical steps toward achieving its overarching goals. Your Committee also finds that the results of the audit show that the Agribusiness Development Corporation is incapable of carrying out its basic statutory responsibilities and functions and should, therefore, be repealed. Your Committee believes that placing the assets and staff of the Agribusiness Development Corporation would be suitable and more effective if situated in the Department of Agriculture.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1271 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Marten, Matayoshi, Todd, Matsumoto). Noes, 1 (Tokioka). Excused, none.

SCRep. 555 Judiciary & Hawaiian Affairs on H.B. No. 61

The purpose of this measure is to:

- (1) Reclassify the Hawaiian Home Receipts Fund and Supreme Court Bar Examination Fund; and
- (2) Repeal the Probation Services Special Fund.

Your Committee received testimony in opposition to on this measure from the Judiciary and Department of Hawaiian Home Lands. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that recent reports of the Auditor have clouded the classification of the Hawaiian Home Receipt Fund. Specifically, Auditor Report No. 20-16 found that the fund functions like a trust account and should therefore be classified as a trust account. Similarly, in Auditor Report No. 20-17, the Auditor noted that although the Supreme Court Bar Examination Fund is classified as a trust fund, it operates more as a special fund. In the same report, the Auditor noted that the Probation Services Special Fund is not self-sustaining, with expenditures annually exceeding revenues. This measure clears any doubt about the classification and repeal of these funds by adopting the recommendations of the Auditor.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 61, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 61, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 556 Judiciary & Hawaiian Affairs on H.B. No. 98

The purpose of this measure is to strengthen the penalties for violations of the State's aquatic resources law.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawaii and two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and Ocean Tourism Coalition.

Your Committee finds that Hawaii's aquatic resources are limited and need greater protection under the law than what is currently in place. The increased penalties proposed in this measure are long overdue and will help support the Department of Land and Natural Resources' efforts to protect and conserve aquatic resources in the short- and long-term.

Your Committee has amended this measure by:

- (1) Clarifying that any equipment, article, instrument, aircraft, vehicle, vessel, business record, or other asset used in fishing, possession, or sale of aquatic life in violation of the aquatic resources law can be seized and forfeited; and
- (2) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 98, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 98, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Takumi, Tokioka).

SCRep. 557 Judiciary & Hawaiian Affairs on H.B. No. 185

The purpose of this measure is to appropriate funds for the Judiciary for the fiscal biennium beginning July 1, 2021, and ending June 30, 2023.

Your Committee received testimony in support of this measure from the Judiciary; Hawaii State Bar Association; Environment, Energy, and Resources Section of the Hawaii State Bar Association; Kauai Bar Association; Hawaii County Bar Association; Farrell & Perrault, LLC; Hawaii Veterans Legal Services; and numerous individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from seven individuals.

Your Committee finds that the appropriations made by this measure will assist the Judiciary in its efforts to fulfill its constitutional, statutory, and public service duties for the 2021-2023 fiscal biennium.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 185 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 558 Judiciary & Hawaiian Affairs on H.B. No. 273

The purpose of this measure is to authorize the Director of Transportation to adopt emergency rules to allow for license renewals to be completed by mail or online.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that renewing a driver's license in person is difficult for those who do not have the availability to appear in person, and this has become more difficult due to the COVID-19 pandemic. Your Committee believes that having an option to renew a driver's license online or through mail will ensure the safety of the State's residents during the pandemic and provide a convenient alternative for those who cannot be present in person.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 273, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 559 Judiciary & Hawaiian Affairs on H.B. No. 320

The purpose of this measure is to provide that any person who engages in certain archaeological activities without obtaining the required permission or approval from the Department of Land and Natural Resources is subject to a civil and administrative violation.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Historic Hawai'i Foundation, Society for Hawaiian Archaeology, and two individuals.

Your Committee finds that there is a growing and pervasive disregard for laws intended to protect and preserve properties of historic and cultural significance in Hawaii. This measure will help deter such conduct.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 320, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 560 Judiciary & Hawaiian Affairs on H.B. No. 337

The purpose of this measure is to:

- (1) Require the language and meaning of any proposed constitutional amendment and ratification question to be simple, concise, and direct to the extent practicable;
- (2) Allow the presiding officers of the Legislature to request a written opinion of the Supreme Court regarding the legality of a proposed amendment to the Hawaii State Constitution and the corresponding constitutional ratification question;
- (3) Require the Supreme Court to provide a written opinion within forty-eight hours of receipt of the request;
- (4) Require, for any written opinion by the Supreme Court that invalidates a constitutional ratification question, a detailed and specific explanation of the reasons for this opinion; and
- (5) Prohibit any appeal of a written opinion.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association and Honolulu County Republican Party. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that constitutional ratification questions should be posed in simple, concise, and direct language. Your Committee further finds that it is an appropriate exercise of the powers of the Hawaii Supreme Court to issue written opinions on the legality of a proposed constitutional ratification question when asked to by the Senate President or the Speaker of the House of Representatives. This measure provides a mechanism to ensure the legality of constitutional ratification questions are addressed by the highest court in the State.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 337, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 337, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 561 Judiciary & Hawaiian Affairs on H.B. No. 821

The purpose of this measure is to authorize the State Historic Preservation Division to:

- (1) Delegate the responsibility of historic preservation project reviews to the respective counties; and
- (2) Establish a program for third-party individuals and organizations to conduct document reviews on proposed projects.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hunt Development Group, LLC; and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received comments on this measure from the Office of Hawaiian Affairs, Society for Hawaiian Archaeology, Historic Hawai'i Foundation, and Maui Chamber of Commerce.

Your Committee finds that the State Historic Preservation Division's review of proposed projects that may affect historic properties plays an essential role in the protection and management of the State's historic places, burial sites, and aviation artifacts. Your Committee further finds that there is a backlog of projects needing review by State Historic Preservation Division, which is causing costly delays to affordable housing and other important construction projects.

This measure will allow the State Historic Preservation Division to expand the capacity for review of projects to alleviate the current backlog.

Your Committee has amended this measure by:

- (1) Requiring that the State Historic Preservation Division consult with the Office of Hawaiian Affairs in the delegation of authority to the counties;
- (2) Specifying that the Office of Hawaiian Affairs shall be consulted on the scope of delegation of historic preservation authority to the counties through a written agreement;
- (3) Clarifying that the State Historic Preservation Division shall not delegate any responsibilities pertaining to prehistoric or historic burials;
- (4) Requiring consultation with the Office of Hawaiian Affairs regarding the certification of third-party reviewers; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 821, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 821, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Takumi, Tokioka).

SCRep. 562 Judiciary & Hawaiian Affairs on H.B. No. 972

The purpose of this measure is to authorize contested case hearings to be conducted through the use of interactive conference technology.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, University of Hawai'i System, Department of Hawaiian Home Lands, and Maunakea Observatories. Your Committee received testimony in opposition to this measure from the Hawaiian Affairs Caucus of the Democratic Party of Hawaii. Your Committee received comments on this measure from the Land Use Commission.

Your Committee finds that interactive conference technology is already being utilized for public meetings under Hawaii's Sunshine Law. Your Committee believes that allowing contested case hearings to be conducted by interactive conference technology will improve efficiency without compromising effectiveness.

Your Committee has amended this measure by:

- (1) Deleting the requirement that the contested case hearing notice identify all locations where the agency, party, and counsel can be physically present; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 972, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 972, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 563 Judiciary & Hawaiian Affairs on H.B. No. 1276

The purpose of this measure is to:

- (1) Authorize the Board of Land and Natural Resources to adopt, amend, and repeal administrative fee schedules for the Division of State Parks within the Department of Land and Natural Resources by formal board action at a publicly noticed meeting; and
- (2) Raise the expenditure ceiling for the State Parks Special Fund.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that budget cuts and reduced funding due to the COVID-19 pandemic necessitate new self-funding tools for the Department of Land and Natural Resources' Division of State Parks to maintain, improve, and enhance the visitor experience in Hawaii's state parks. Your Committee further finds that Hawaii's administrative rulemaking process is not designed to quickly respond to rapidly changing resource conditions. This measure will allow the Board of Land and Natural Resources to better respond to rapidly changing conditions by providing the Board with an alternative process to quickly update fee structures after an opportunity for public review and comment.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1276, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Takumi, Tokioka).

SCRep. 564 Judiciary & Hawaiian Affairs on H.B. No. 1020

The purpose of this measure is to authorize the Board of Land and Natural Resources to temporarily adopt, amend, and repeal certain natural resource rules by formal board action at a publicly noticed meeting if the Board finds that the adoption, amendment, or repeal is necessary to implement effective and adaptive management measures in response to rapidly changing resource conditions.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the Department of Land and Natural Resources needs the flexibility to quickly and efficiently implement adaptive management measures that are informed by the best available scientific information. Although the existing administrative rule-making process serves the important function of providing opportunity for public review and input, it is not designed for the rapid implementation of adaptive management measures in response to changing resource conditions. Your Committee further finds that this measure would provide the Department with an additional tool to swiftly implement certain temporary adaptive management measures while also providing the opportunity for public review and input.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1020, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 565 Judiciary & Hawaiian Affairs on H.B. No. 1066

The purpose of this measure is to add the University of Hawaii to the list of agencies that are authorized to conduct criminal history record checks on current or prospective employees or contractors whose positions or duties are related to public safety.

Your Committee received testimony in support of this measure from the Department of Human Resources Development and University of Hawai'i System.

Your Committee finds that the University of Hawaii (University) is responsible for ensuring the safety and security of facilities and persons on its campuses. The University utilizes university security officers, who are civil service employees recruited by the Department of Human Resources Development. The University has entered into a delegation agreement with the Department of Human Resources Development for the University to perform all tasks associated with recruiting, selecting, and hiring university security officers, except for the task of completing criminal history record checks. This measure will statutorily enable the Department of Human Resources Development to also delegate to the University the authority to conduct criminal history record checks, thereby allowing the University to perform all aspects of the university security officer recruitment process more efficiently.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1066, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 566 Judiciary & Hawaiian Affairs on H.B. No. 1124

The purpose of this measure is to amend the Hawaiian Homes Commission Act to:

- (1) Provide appraisal requirements for tracts or improvements thereon;
- (2) Prohibit the Department of Hawaiian Home Lands from canceling a lease solely based on a loan delinquency or default subject to certain conditions;
- (3) Define "due notice" as it relates to the cancellation of leases or violation of lease conditions;
- (4) Allow the Department of Hawaiian Home Lands to authorize second position loans on homestead leases by approved lenders and United States Treasury-certified community development financial institutions; and
- (5) Require the Department of Hawaiian Home Lands to develop and implement a loan servicing manual, subject to Hawaiian Homes Commission approval, to standardize loan loss mitigation policies, procedures, and methods.

Your Committee received testimony in support of this measure from the Hawaiian Homestead Associations. Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that the Hawaiian Homes Commission Act provides for the rehabilitation of the native Hawaiian people through a government-sponsored homesteading program. Your Committee also finds that a key purpose of the Hawaiian Homes Commission Act is providing financial support and technical assistance to native Hawaiian beneficiaries of the Act to enhance economic self-sufficiency and promote community-based development. This measure provides a means of enabling greater access to capital and financial information for native Hawaiians.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1124, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 567 Judiciary & Hawaiian Affairs on H.B. No. 1220

The purpose of this measure is to:

- (1) Require members of the Charter School Commission to collectively possess strong experience and expertise in various fields;
- (2) Allow staff of a charter school authorizer to assist in the application and review process and completion of an incomplete charter application;
- (3) Authorize a nonprofit organization to establish an applicant governing board that operates separately from, but may have similar members with, its nonprofit organization;
- (4) Clarify charter application notice requirements; and
- (5) Clarify authorizer compliance requirements in cases of an appeal.

Your Committee received testimony in support of this measure from the Hawaii Academy of Arts and Science Public Charter School, Maui Hui Malama, and one individual. Your Committee received comments on this measure from the State Public Charter School Commission, Hawaii State Ethics Commission, and one individual.

Your Committee finds that this measure will improve and streamline the process for the authorization of public charter schools and enable charter school applicants to more easily correct any application errors by allowing authorizer staff to provide prospective charter applicants with technical assistance, clarifying the charter application notice requirements, and clarifying the authorizer compliance requirements in cases of an appeal.

Your Committee has amended this measure by:

- (1) Allowing the authorizer's staff to provide technical support to a prospective charter school applicant or an applicant governing board up until the completed charter application is submitted to the authorizer;
- (2) Retaining language that requires an applicant governing board to be separate from the nonprofit organization; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1220, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1220, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Takumi, Tokioka).

SCRep. 568 Judiciary & Hawaiian Affairs on H.B. No. 1245

The purpose of this measure is to:

- (1) Establish an expeditious adjudication system for the processing of fireworks infractions; and
- (2) Appropriate funds for the Judiciary to update its information management system to implement the adjudications process proposed by this measure.

Your Committee received testimony in support of this measure from the Hawaii State Fire Council, Maui Fire Department, and Poi Dogs & Popoki. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that enforcement of the Fireworks Control Law is wanting. Increased enforcement is needed to protect property from avoidable fire damage and to protect persons from fire- and explosion-related injuries, respiratory distress, and the retraumatizing effects of loud explosions.

Your Committee further finds that alternative enforcement mechanisms should be considered to promote enforcement with the Fireworks Control Law. An expeditious system for processing fireworks infractions that is similar to the system for processing traffic infractions will allow the Judiciary to expediently process violations of the Fireworks Control Law.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1245, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1245, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Ward). Noes, 1 (D. Kobayashi). Excused, 2 (Takumi, Tokioka).

SCRep. 569 Judiciary & Hawaiian Affairs on H.B. No. 1284

The purpose of this measure is to:

- (1) Require health insurance providers who provide health benefits plans funded by the Hawaii Employer-Union Health Benefits Trust Fund or the state Medicaid agency and providers providing Medicare Advantage health benefits to submit administrative data to the Health Analytics Program in the Department of Human Services; and
- (2) Authorize the Health Analytics Program to develop and update an annual plan for the analysis, maintenance, and publication of collected all-claims, all-payer administrative data.

Your Committee received testimony in support of this measure from the Department of Human Services, Environmental Caucus of the Democratic Party of Hawai'i, and three individuals.

Your Committee finds that the inclusion of administrative data from health benefits plans funded by the Hawaii Employer-Union Health Benefits Trust Fund or State Medicaid agency and providers providing Medicare Advantage health benefits to the Health Analytics Program in the Department of Human Services will assist in developing a more accurate picture of health benefits costs in Hawaii.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1284, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1284, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Takumi, Tokioka).

SCRep. 570 Judiciary & Hawaiian Affairs on H.B. No. 1377

The purpose of this measure is to establish:

- (1) An Electronic Citation Program under the Judiciary for transmitting traffic, misdemeanor, or other citations and law enforcement data to the clerk of the court through electronic means; and
- (2) An Electronic Citation Surcharge.

Your Committee received testimony in support of this measure from the Judiciary, Department of Transportation, and Maui Police Department.

Your Committee finds that the use of an electronic citation system resolves handwriting legibility issues and eliminates the need to collect and scan paper citations. By establishing an electronic citation program in the State, this measure provides numerous benefits to law enforcement, the Judiciary, and the general public, including the streamlining of processes and increased access to information.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1377 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Takumi, Tokioka).

SCRep. 571 Judiciary & Hawaiian Affairs on H.B. No. 204

The purpose of this measure is to appropriate funds for the 2021-2023 fiscal biennium for certain operating expenses of the Office of Hawaiian Affairs.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawaiian Affairs Caucus of the Democratic Party of Hawai'i, Hawai'i Appleseed Center for Law & Economic Justice, and eight individuals.

Your Committee finds that the Office of Hawaiian Affairs is a semi-autonomous state agency established by the Hawaii State Constitution whose mandate is to better the conditions of Native Hawaiians. Your Committee further finds that the appropriations made by this measure will help the Office of Hawaiian Affairs to fulfill this constitutional mandate.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 204 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 572 Judiciary & Hawaiian Affairs on H.B. No. 654

The purpose of this measure is to require that every judgment for child support, including a judgment for reimbursement or other debts, shall be enforceable until paid in full.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that child support judgments are considered paid and discharged when the child turns thirty-three years old or when the latest period provided in section 657-5, Hawaii Revised Statutes, expires, whichever is later. This measure will require that child support be paid in full to be considered discharged.

Your Committee has amended this measure by:

- (1) Clarifying that the provisions of this measure are notwithstanding section 657-5, Hawaii Revised Statutes, which considers every child support judgment paid and discharged at the expiration of ten years after the judgment or decree was rendered; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 654, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 654, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Takumi, Tokioka).

SCRep. 573 Judiciary & Hawaiian Affairs on H.B. No. 1109

The purpose of this measure is to assist the administrative rulemaking process by requiring that before the adoption or repeal of a rule, electronic notice of the proposed rulemaking be provided to all persons who have made a timely written request to the adopting agency for advance notice of its rulemaking proceedings.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from one individual.

Your Committee finds that providing additional notice electronically allows for interested persons to be afforded notice of proposed rulemaking in a more timely and expedient manner than traditional mail and has minimal cost implications.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1109 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 574 Judiciary & Hawaiian Affairs on H.B. No. 825

The purpose of this measure is to specify that the Governor's emergency powers include the ability to assume control, use, or operation of any state facility at no cost or requirement of compensation.

Your Committee received testimony in opposition to this measure from the Hawaii Emergency Management Agency. Your Committee received comments on this measure from the League of Women Voters.

Your Committee finds that the ability to quickly scale up operations, such as processing unemployment insurance applications, and to freely use available state resources is imperative to ensuring the continued health, safety, and welfare of the State's residents and visitors. This measure will enable the State to utilize all of its resources in order to effectively and efficiently respond to the pandemic without placing an additional burden on taxpayers.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 825, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 825, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, 2 (D. Kobayashi, Ward). Excused, 2 (Takumi, Tokioka).

SCRep. 575 Judiciary & Hawaiian Affairs on H.B. No. 1018

The purpose of this measure is to authorize the Department of Land and Natural Resources to adopt rules for a lay net permit for the use or possession of lay nets, including reasonable fees and provisions to address noncompliance with lay net rules.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Coral Fish Hawaii/Hawaii Sustainable Reef Fisheries.

Your Committee finds that illegal and irresponsible use of lay nets continues despite the lay net rules implemented by the Department of Land and Natural Resources. Your Committee further finds that lay net violations are primarily fishery-related infractions that the Department of Land and Natural Resources could better regulate with a lay net permit system. This measure will help better protect Hawaii's fishery resources and protected species.

Your Committee has amended this measure by making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1018, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1018, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Takumi, Tokioka).

SCRep. 576 Judiciary & Hawaiian Affairs on H.B. No. 1055

The purpose of this measure is to authorize the Director of Transportation to acquire real property for roads and streets, without review or approval by the Board of Land and Natural Resources.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that the Highways Division of the Department of Transportation provides a critical network for highways and roads for Hawaii's communities, land uses, and economy. Requiring the Board of Land and Natural Resources' approval for acquisitions delays project delivery and causes obstructions to federal funding. This measure will expedite the project delivery process and effectively utilize federal aid funds by providing the Highways Division with full management and control of the properties necessary to improve public roads and streets in a more timely fashion.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1055, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1055, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Takumi, Tokioka).

SCRep. 577 Judiciary & Hawaiian Affairs on H.B. No. 1288

The purpose of this measure is to exclude non-voting ex-officio board members appointed by the President of the Senate and Speaker of the House of Representatives to the Board of Directors of the Honolulu Authority for Rapid Transportation from being counted for the purposes of quorum.

Your Committee received testimony in support of this measure from the Department of Transportation, Office of the Mayor of the City and County of Honolulu, and one individual.

Your Committee finds that currently it is not clear whether non-voting ex-officio members should be counted toward a quorum for voting purposes for the Board of the Honolulu Authority for Rapid Transportation, ultimately impeding the Board's ability to act on important measures. Your Committee further finds that historically, gathering nine members for quorum has been difficult and counterproductive. This measure will clarify the quorum requirements, thereby allowing the Board of Directors of the Honolulu Authority for Rapid Transportation to achieve quorum and conduct business efficiently and on a regular basis.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1288 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 578 Judiciary & Hawaiian Affairs on H.B. No. 1023

The purpose of this measure is to help the State identify and develop sustainable sources of funding to effectively manage its fisheries by establishing a nonresident recreational marine fishing license and associated fees.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Coral Fish Hawaii/Hawaii Sustainable Reef Fisheries, and one individual. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from Pono Advocacy and For the Fishes.

Your Committee finds that although Hawaii's marine fisheries attract thousands of nonresident visitors each year, Hawaii residents are solely responsible for paying the taxes that support the state fisheries management programs. As a result, nonresidents recreational fishers directly benefit from enjoyment of the State's marine fishery resources without directly contributing to the management of these valuable resources. This measure will provide an additional source of funding to protect these resources.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1023, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Takumi, Tokioka).

SCRep. 579 Judiciary & Hawaiian Affairs on H.B. No. 1096

The purpose of this measure is to amend the Uniform Parentage Act to:

- (1) Allow non-gestational partners of any gender identity to voluntarily establish parentage of a child during the period immediately before or following the child's birth;
- (2) Amend the definition of "facility" under the expedited process of parentage law to include homes; and
- (3) Require the State to recognize parentage determinations from other states and territories.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, Planned Parenthood Votes Northwest and Hawaii, AF3IRM Hawaii, LGBT Caucus of the Democratic Party of Hawaii, Trans Hawaii Project, Healthy Mothers Healthy Babies, Hawaii Women's Coalition, and numerous individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Health, and one individual.

Your Committee finds that existing parentage laws reflect outdated, cisheteronormative concepts of families, parenthood, and parental rights. Your Committee further finds that updating the Uniform Parentage Act to include non-gender-traditional couples and families will require several amendments to other laws, including family, benefit programs, and vital records laws. At this time, your Committee believes that the best course of action is to convene a task force to recommend updates to existing parentage laws.

Your Committee has amended this measure by:

- (1) Deleting its substantive contents;
- (2) Inserting language to require the Department of Health to convene a task force to recommend amendments to the Hawaii Revised Statutes to update existing parentage laws that reflect outdated, cisheteronormative concepts of families, parenthood, and parental rights; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1096, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1096, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Takumi, Tokioka).

SCRep. 580 Judiciary & Hawaiian Affairs on H.B. No. 1122

The purpose of this measure is to amend the Hawaiian Homes Commission Act to give clarity and guidance to the Department of Hawaiian Home Lands in the management of homestead lands. Specifically, this measure:

- (1) Defines "beneficiary consultation" and determines when it is required;
- (2) Prohibits the Department of Hawaiian Home Lands from disposing of certain lands or extending a general lease to non-beneficiaries, unless there are no applicants seeking to enter into a lease for the use and occupancy of a tract of Hawaiian Home Lands;
- (3) Requires the Department of Hawaiian Home Lands to notify beneficiaries through beneficiary consultation before disposing of Hawaiian home lands or improvements thereon;
- (4) Mandates Homestead Beneficiary Agreements for any trust land disposition;
- (5) Prohibits the Department of Hawaiian Home Lands from establishing additional criteria to enter into a lease with an applicant without notifying beneficiaries through beneficiary consultation;
- (6) Authorizes the Department of Hawaiian Home Lands to grant a license or enter into a general lease for public purpose or mercantile establishments;
- (7) Allocates the interest or other earnings from the Hawaiian Home Loan Fund and Hawaiian Home General Loan Fund into their respective funds;
- (8) Allows for the interest or other earnings out of investments from the Hawaiian Home Loan Fund to be deposited into the Hawaiian Home Operating Fund if the Department of Hawaiian Home Lands notifies beneficiaries through beneficiary consultation;
- (9) Requires the Department of Hawaiian Home Lands to make loans from revolving funds to any lessee or native Hawaiian to whom, or any cooperative association to which, a lease or license has been issued;
- (10) Requires the Department of Hawaiian Home Lands to submit a quarterly report to the Legislature and beneficiaries; and
- (11) Authorizes the Department of Hawaiian Home Lands to negotiate with homestead association governed water agencies to maintain water systems before other service providers.

Your Committee received testimony in support of this measure from the Sovereign Council of Hawaiian Homestead Associations. Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that this measure seeks to improve the administration of the Hawaiian Homes Commission Act for its intended purpose, namely, the issuance of residential, farm, ranch, and mercantile lands to native Hawaiians.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1122, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 581 Judiciary & Hawaiian Affairs on H.B. No. 1391

The purpose of this measure is to:

- (1) Allow the Department of Hawaiian Home Lands to retain independent legal counsel as needed;
- (2) Authorize the Department of Hawaiian Home Lands to use the services of the Attorney General as needed and when the interests of the State and the Department of Hawaiian Home Lands are aligned; and
- (3) Provide that funds owed to independent legal counsel shall be paid by the State.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and two individuals. Your Committee received testimony in opposition to this measure from the Department of the Attorney General.

Your Committee finds that there are circumstances where the interests of the State and Department of Hawaiian Home Lands may be adversarial and that it is vital and necessary for the Hawaiian Homes Commission to carry out its fiduciary duties to be able to retain independent counsel. This measure would further provide the Department of Hawaiian Home Lands with the assurance that its counsel is providing legal advice in the sole interest of the Department.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1391 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Takumi, Tokioka).

SCRep. 582 Judiciary & Hawaiian Affairs on H.B. No. 467

The purpose of this measure is to redevelop certain areas or regions of public lands by:

- (1) Establishing a framework to identify and redevelop areas of public lands that are classified as commercial, industrial, hotel, apartment, motel, or resort parcels in need of revitalization;
- (2) Creating a nine-member planning committee for each redevelopment district to provide policy direction and prepare a redevelopment plan;
- (3) Establishing a revolving fund for each redevelopment district for deposit of fifty percent of the revenues, income, and receipts from the public lands in the redevelopment district, legislative appropriations, gifts, grants, and other funds;
- (4) Creating the Waiakea Peninsula Redevelopment District on the island of Hawaii, Waiakea Peninsula Redevelopment District Planning Committee, and

Waiiaka Peninsula Redevelopment District Revolving Fund;

- (5) Authorize the Board of Land and Natural Resources to approve rental reductions or waivers for leases that require substantial demolition costs or infrastructure improvement costs in order for the lessee to utilize the premises;
- (6) Authorizing a local redevelopment agency to negotiate a development agreement with a developer for commercial, business, hotel, or resort uses on public lands within a redevelopment area;
- (7) Providing that the general excise tax laws do not apply to amounts received from the construction of work or improvements of a redevelopment project; and
- (8) Amending the definition of "use" under use tax laws to exclude the use of material, parts, or tools imported or purchased by a person licensed under general excise tax laws that are used for the construction of work or improvements of a redevelopment project.

Your Committee received testimony in support of this measure from the Kohala Coast Resort Association and Hawaii Association of REALTORS. Your Committee received testimony in opposition to this measure from the Kūpuna for the Mo'opuna and Ka Lāhui Hawai'i Kōmike Kalai'āina. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, and Department of Land and Natural Resources.

Your Committee finds that because of the policies guiding the management of public lands with commercial, industrial, resort, and hotel uses, there has been little incentive for lessees to make major improvements to their infrastructure, resulting in the deterioration of infrastructure and facilities. The lack of improvements in many of these areas has resulted in dilapidation, deterioration, or obsolescence of buildings and structures. Your Committee believes this measure will help rejuvenate public lands over time and warrants further consideration. Your Committee notes that the intent of this measure is for the redevelopment of public lands on Waiiaka Peninsula.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 467, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (LoPresti, Lowen). Noes, none. Excused, none.

SCRep. 583 Judiciary & Hawaiian Affairs on H.B. No. 540

The purpose of this measure is to make a health care provider who acts in good faith during an emergency immune from civil or criminal liability if they adhere to crisis standards of care.

Your Committee received testimony in support of this measure from the Hawaii Substance Abuse Coalition, Queen's Health Systems, and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice. Your Committee received comments on this measure from the Department of the Attorney General and one individual.

Your Committee finds that during a surge response to a catastrophic emergency event, such as what occurred during the COVID-19 pandemic, demand for healthcare services may substantially exceed supply, which forces health care providers to shift from normal standards of care to crisis standards of care. Your Committee further finds that health care providers should not be in a position of liability when they are forced to make patient care decisions under the duress of a global pandemic and surge conditions.

Your Committee has amended this measure by:

- (1) Adding exceptions that would subject a health care provider to civil or criminal liability in cases of willful misconduct, gross negligence, or recklessness;
- (2) Including under the circumstances for which a health care provider shall be immune from civil or criminal liability situations where the health care provider is engaged in emergent care functions directly related to the declared state of emergency or local state of emergency; and
- (3) Inserting a definition for "health care provider".

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 540, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 540, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (LoPresti, McKelvey, Ward). Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 584 Judiciary & Hawaiian Affairs on H.B. No. 1314

The purpose of this measure is to:

- (1) Authorize each county to levy a county surcharge on transient accommodations tax if the county satisfies certain real property tax requirements;
- (2) Repeal the allocation of transient accommodations tax revenue to the counties and make conforming amendments;
- (3) Establish a Residential Property Owner Tax Credit and a Residential Circuit Breaker Tax Credit; and
- (4) Beginning with taxable years after December 31, 2021, gradually implement new individual income tax and corporation income tax brackets and rates in intervals.

Your Committee received testimony in opposition to this measure from the City and County of Honolulu, Kohala Coast Resort Association, Maui Chamber of Commerce, Hawai'i Budget & Policy Center, and one individual. Your Committee received comments on this measure from the Department of Taxation, Department of the Attorney General, Mayor of the County of Kaua'i, and Tax Foundation of Hawaii.

Your Committee finds that due to the rising cost of living in Hawaii, it is critical that the State find ways to lessen the financial burden for local residents. This measure proposes a new solution to shift the tax burden in favor of residents by reimagining certain basic tenets of the State's tax code. Specifically, this measure over the next twelve years aims to be relatively revenue neutral from the standpoint of the State's tax base that is generated between real property taxes, transient accommodations taxes, and individual and corporation income taxes. In roughly over a decade, the revenues from those tax bases will be restructured by:

- (1) Shifting domain over transient accommodations taxes from the State to the counties;
- (2) Increasing real property tax rates, but with sizeable adjustments in deductions for resident age exemptions and for residents living in a primary residence;
- (3) Eliminating individual and corporation income taxes to zero by 2030; and

- (4) Providing tax credits to certain residents and residential landlords.

Over time, this measure provides more financial security and stability for residents, particularly the State's most vulnerable working class households.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1314, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, 2 (Tokioka, Ward). Excused, 2 (Lowen, Takumi).

SCRep. 585 Judiciary & Hawaiian Affairs on H.B. No. 32

The purpose of this measure is to prohibit the manufacture for sale, offer for sale, display for sale, sale, trade, or distribution of certain animal fur products in the State.

Your Committee received testimony in support of this measure from the Humane Society of the United States. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that existing laws provide relatively little oversight of the fur farming and fur trade industries. Your Committee further finds that prohibiting the manufacture for sale, offer for sale, display for sale, sale, trade, or distribution of certain animal fur products in Hawaii will foster a more humane environment in the State.

Your Committee has amended this measure by:

- (1) Specifying that the responsibility of administering this measure shall lie in the jurisdiction of the Department of the Attorney General rather than the Department of Commerce and Consumer Affairs; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 32, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 32, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Ward). Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 586 Judiciary & Hawaiian Affairs on H.B. No. 225

The purpose of this measure is to:

- (1) Require the Board of Education to develop a bullying prevention and response action plan;
- (2) Require the Board of Education, or the Department of Education as the Board's designee, to submit an annual report to the Legislature on the action plan and reported incidents of alleged bullying and harassment; and
- (3) Repeal Act 214, Session Laws of Hawaii 2011, which required the Board of Education to monitor the Department of Education for compliance with any administrative rules or statutes governing bullying, cyberbullying, and harassment.

Your Committee received testimony in support of this measure from the Honolulu County Republican Party, Hawaii Youth Services Network, The Trevor Project, Hawai'i State Commission on the Status of Women, and six individuals. Your Committee received comments on this measure from the Board of Education and Department of Education.

Your Committee finds that the Board of Education and Department of Education recognize that bullying is a severe issue. This measure will help the Board and Department in responding to and preventing bullying in public schools.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 225, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 225, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 587 Judiciary & Hawaiian Affairs on H.B. No. 288

The purpose of this measure is to increase the fines that may be issued for violation of the loud muffler laws.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that although existing law prohibits vehicles owners from installing mufflers that increase the noise of their vehicle, the penalties are minimal and do little to deter violators. Your Committee finds that the increases in fines proposed by this measure will serve as a stronger deterrent.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 288, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 288, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 588 Judiciary & Hawaiian Affairs on H.B. No. 310

The purpose of this measure is to:

- (1) Amend the definition of "imminently dangerous to self or others";
- (2) Authorize the involuntary treatment of certain patients subject to emergency hospitalization; and
- (3) Require the assessment of certain patients subject to emergency hospitalization to determine if a surrogate or guardian needs to be appointed to make appropriate health care decisions for the patient.

Your Committee received testimony in support of this measure from the Hawaii Substance Abuse Coalition, Institute for Human Services, Kealahou West Oahu, and six individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender, American Civil Liberties Union of Hawaii, and one individual. Your Committee received comments on this measure from the Department of the Attorney General, Department of Health, and Hawaii Disability Rights Center.

Your Committee finds that this measure will better assist individuals suffering from serious mental illness or severe substance abuse by authorizing timely and appropriate treatment.

Your Committee has amended this measure by:

- (1) Limiting the maximum amount of time persons subject to emergency hospitalization, diagnosed with a serious mental illness or severe substance use disorder, or found to be lacking decisional capacity may be involuntarily treated for up to thirty days;
- (2) Deleting the definition of "imminently dangerous to self or others" from section 334-161, Hawaii Revised Statutes, to conform with this measure; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 310, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 310, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (D. Kobayashi). Noes, none. Excused, 2 (Takumi, Tokioka).

SCRep. 589 Judiciary & Hawaiian Affairs on H.B. No. 345

The purpose of this measure is to require the court to appoint, at the time that an Assisted Community Treatment Program petition is filed, a guardian ad litem to represent the best interests of the individual who is subject to the petition throughout the pendency of the judicial proceedings.

Your Committee received testimony in support of this measure from the Department of Health; The Institute for Human Services, Inc.; Hawaii Substance Abuse Coalition; Hope Services Hawaii, Inc.; and one individual. Your Committee received comments on this measure from the Judiciary and Office of the Public Defender.

Your Committee finds that the Assisted Community Treatment Program provides a process for individuals with severe mental illness to receive necessary medical treatment and medication when it is in the individual's best interest. Your Committee further finds that the existing law does not require the appointment of a guardian ad litem to represent the best interests of an individual subject to Assisted Community Treatment Program proceedings.

Your Committee has amended this measure by:

- (1) Clarifying that a guardian ad litem appointed to represent a person subject to an Assisted Community Treatment Program petition shall receive the same compensation as any other guardian ad litem appointed by the courts; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 345, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 345, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 590 Judiciary & Hawaiian Affairs on H.B. No. 565

The purpose of this measure is to:

- (1) Grant exclusive original jurisdiction in matters of divorce to the family court of the circuit in which an applicant is domiciled at the time the application is filed; and
- (2) Repeal the requirement that a person be domiciled or physically present in the State for a continuous period of at least six months before completing a divorce.

Your Committee received testimony in support of this measure from the American Association of University Women of Hawaii; Planned Parenthood Votes Northwest and Hawaii; Hawai'i State Coalition Against Domestic Violence; Hawaii Women's Coalition; Domestic Violence Action Center; Farrell & Perrault, LLC; and four individuals. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that this measure clarifies the jurisdiction of the Family Court and enables individuals to file for divorce in the State even if they are unable to be physically present in the State for a continuous period of time before filing.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 565, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 565, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Takumi, Tokioka).

SCRep. 591 Judiciary & Hawaiian Affairs on H.B. No. 722

The purpose of this measure is to require:

- (1) The Department of the Attorney General to address the needs of victims of human trafficking through the development of a statewide human trafficking program;
- (2) The Department of the Attorney General to provide annual reports to the Legislature on the State's efforts to address human trafficking and the commercial sexual exploitation of children; and
- (3) The Children's Justice Program to coordinate the investigation and case management of child trafficking cases, including cases involving the sexual exploitation of children.

Your Committee received testimony in support of this measure from the Department of Health, Judiciary, Department of Transportation, Department of the Attorney General, Honolulu Police Department, Catholic Charities Hawaii, Hawai'i Psychological Association, and two individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that children, particularly foster, runaway, LGBTQ+, immigrant, and undocumented children and children suffering from mental illnesses and substance abuse issues, are vulnerable to sex trafficking and commercial sexual exploitation. To adequately serve children who have been sexually exploited, your Committee believes that a statewide human trafficking program is needed to develop and utilize comprehensive interagency case management strategies, protocols, and a multi-disciplinary response that is victim-centered and offender-focused.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of the Attorney General shall submit a report on the State's efforts to address the commercial sexual exploitation of children no later than twenty days prior to the convening of the Regular Session of 2022 and a report on the State's efforts to address human trafficking no later than twenty days prior to the convening of the Regular Session of 2023;
- (2) Permitting the Department of the Attorney General to submit additional reports to the Legislature at the determination of the Department; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 722, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 722, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 592 Judiciary & Hawaiian Affairs on H.B. No. 823

The purpose of this measure is to increase efficiency and update old statutory provisions by:

- (1) Repealing the Task Force on Beach and Water Safety and Risk Assessment Working Group; and
- (2) Requiring the design and placement of warning signs, devices, and systems on certain areas of the State to be approved by the Chairperson of the Board of Land and Natural Resources and the respective county mayors.

Your Committee received testimony in support of this measure from the Department of the Attorney General and Department of Land and Natural Resources. Your Committee received comments on this measure from the Hawaii Association for Justice.

Your Committee finds that over the years, the process for determining the design and placement of warning signs, devices, and systems of known hazards on certain public lands has become well-established and standardized, thereby eliminating the need for the Task Force on Beach and Water Safety and Risk Assessment Working Group.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 823, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 593 Judiciary & Hawaiian Affairs on H.B. No. 894

The purpose of this measure is to provide authority for the Hawaii Criminal Justice Data Center and state and county criminal justice agencies to set and collect fees for services provided.

Your Committee received testimony in support of this measure from the Department of the Attorney General.

Your Committee finds that eliminating the finite list of services for which the Hawaii Criminal Justice Data Center is allowed to charge fees will enable the Hawaii Criminal Justice Data Center to include fees for all of its services within a fee schedule established by administrative rules. This measure will thereby help to sustain the operations of the Hawaii Criminal Justice Data Center.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 894 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 594 Judiciary & Hawaiian Affairs on H.B. No. 1366

The purpose of this measure is to:

- (1) Amend the offense of manufacturing, purchasing, or obtaining firearm parts to assemble a firearm having no serial number to also prohibit possession of those firearm parts; and
- (2) Amend Act 74, Session Laws of Hawaii 2020, to repeal language that specified the prospective application of that Act.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Maui Police Department, State of Hawaii Organization of Police Officers, and two individuals. Your Committee received testimony in opposition to this measure from the National Rifle Association, Valley Isle Sport Shooters, Hawaii Firearms Coalition, Hawaii Rifle Association, Berean Beacon Ministry, and numerous individuals. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that persons who are in possession of "ghost guns," or firearms that are assembled without serial numbers or other identification markings, are claiming that their actions do not violate state law because the parts used to assemble the firearm were acquired before the State prohibited manufacturing, purchasing, or obtaining firearm parts to assemble a ghost gun. This measure will make possession of these parts a class C felony.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2022; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1366, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1366, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (D. Kobayashi). Noes, 1 (Ward). Excused, 2 (Takumi, Tokioka).

SCRep. 595 Legislative Management on H.B. No. 372

The purpose of this measure is to:

- (1) Require the Auditor to perform an annual operational audit of the academic and financial plans of the Department of Education to be submitted to the Legislature;
- (2) Require the Department of Education to contract with a third party consultant that specializes in school finance to perform a study of the adequacy of education funding in the State to be submitted to the Legislature; and
- (3) Appropriate funds for the audit and study.

Your Committee received testimony in support of this measure from the Maui Chamber of Commerce, Hui for Excellence in Education, and one individual. Your Committee received comments on this measure from the Office of the Auditor and Department of Education.

Your Committee finds an annual operational audit of the academic and financial plans of the Department of Education will increase transparency from the Department of Education and help to identify the financial and management needs of the Department schools. Your Committee further finds that a study of the adequacy of education funding in the State will better inform how funding is used to enhance the quality of education for students in 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 is in accord with the intent and purpose of H.B. No. 372, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

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

SCRep. 596 Water & Land on H.B. No. 553

The purpose of this measure is to prohibit knowingly capturing, entangling, or killing a shark in state marine waters, with certain exemptions, and provide penalties and fines.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Friends of Hanauma Bay, Center for Biological Diversity, The Humane Society of the United States, Humane Society International, Hawai'i Reef and Ocean Coalition, Animal Rights Hawai'i, For the Fishes, Conservation Council for Hawai'i, Kai Palaoa, Moana 'Ohana, ODA Hawaii, Kalanihale, KAHEA: The Hawaiian-Environmental Alliance, Sierra Club of Hawai'i, Haereticus Environmental Laboratory, Fair Wind, Environmental Caucus of the Democratic Party of Hawai'i, Save the Sea Turtles International, Legacy Reef Foundation, The Kohala Center, Surfrider Kona Kai Ea Chapter, and twelve individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.; Hawaii Marlin Tournament Series; and fifteen individuals. Your Committee received comments on this measure from the Department of the Attorney General, University of Hawai'i System, and Hawaii Institute of Marine Biology.

Your Committee finds that sharks are extremely important to ocean ecosystems as they keep the ecosystem balanced, regulate populations of other marine life, and ensure healthy fish stock and reefs. Your Committee further finds that sharks play a vital historical and cultural role in Hawaii, including Native Hawaiian customary and traditional rights protected by the Hawaii State Constitution.

Your Committee has amended this measure by:

- (1) Adding exemptions for:
 - (A) Research overseen by a state-approved institutional animal care and use committee;
 - (B) Any person who captures or kills sharks for subsistence fishing purposes; and
 - (C) Any person who incidentally takes sharks while targeting other species;
- (2) Requiring the Department of Land and Natural Resources to adopt rules pursuant to chapter 91, Hawaii Revised Statutes, to:
 - (A) Ensure that the incidental taking of sharks while targeting other species is not a violation;
 - (B) Prevent the wanton waste of sharks;
 - (C) Limit gear, such as gill nets, in areas identified as shark nursery habitats; and
 - (D) Allow the taking of sharks for subsistence purposes, subject to reasonable regulation by the State for the protection of shark species;
- (3) Clarifying that a person convicted of violating this measure may be sentenced to pay a fine not exceeding \$10,000 per offense;
- (4) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 553, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 553, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, 1 (Kong). Excused, 1 (Ohno).

SCRep. 597 Water & Land on H.B. No. 663

The purpose of this measure is to amend the manner in which members are appointed to the Game Management Advisory Commission to require appointment of members by the Governor from a list of names submitted by the President of the Senate and the Speaker of the House of Representatives.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that providing the President of the Senate and Speaker of the House of Representatives with the opportunity to be involved with the selection of members of the Game Management Advisory Commission will provide the Legislature with a broader level of involvement in activities for the development of the Commission.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 663, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 663, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 598 Water & Land on H.B. No. 1261

The purpose of this measure is to require the Department of Land and Natural Resources to lease the property located at 29-169 Kulaiwi Road, also known as the old Hakalau School site, in South Hilo on Hawaii island to the Wailea Village Historic Preservation Community for a period of twenty years, with a lease rent of \$100 per year.

Your Committee received testimony in support of this measure from the Historic Hawai'i Foundation, Wailea Village Historic Preservation Community, Waiehu Land LLC, and four individuals. Your Committee received comments on this measure from the Department of the Attorney General and the Department of Land and Natural Resources.

Your Committee finds that the old Hakalau School site is the subject of a 2014 Executive Order, in which the Department of Education informed the Department of Land and Natural Resources of its intent to turn the property over to the Department of Land and Natural Resources. While the Department of Land and Natural Resources has been requested by Wailea Village Historic Preservation to lease the site, the site has lead paint contamination and mitigation issues that need to be remediated. Once those issues get resolved, the Department of Land and Natural Resources has indicated that they will request from the Board of Land and Natural Resources approval to issue a direct lease. Your Committee encourages all stakeholders to continue their conversations on how to remediate the property so that it can be preserved for the benefit of the community.

Your Committee has amended this measure by:

- (1) Changing the annual lease rent to an unspecified amount;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1261, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1261, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 599 Government Reform on H.B. No. 144

The purpose of this measure is to:

- (1) Increase the monetary threshold that requires disclosure of electioneering communications;
- (2) Require that disclosures of electioneering communications occur on the date the electioneering communications are publicly distributed; and
- (3) Classify election advertisements sent by mail at any postal rate and election advertisements that are expenditures of an organization as electioneering communications.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, and one individual.

Your Committee finds that amending the disclosure date of electioneering communications to occur on the date the electioneering communications are publicly distributed is timelier, as contracts for these advertisements may occur weeks or months before the advertisements are publicly distributed. Your Committee further finds that increasing the monetary threshold amount that would require disclosure of an electioneering communication will reduce the burden on smaller candidate committees with less activity.

Your Committee additionally finds that including expenditures by an expending organization under the classification of electioneering communication is unneeded. As defined, an expenditure by an expending organization means a contract or payment for said electioneering communication. However, there may be times when a said expenditure is made but the electioneering communication that was contracted or paid for is not broadcast. Despite the payment or contract, because there was no actual communication of record, filing a notification does not serve the cause of transparency.

Your Committee has amended this measure by:

- (1) Restoring existing statutory language that exempts expenditures by an expending organization from being classified as an electioneering communication;

- (2) Changing its effective date to July 1, 2112, to encourage further discussion; 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 Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 144, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 144, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 4 (Mizuno, Woodson, Yamashita, Ward).

SCRep. 600 Government Reform on H.B. No. 239

The purpose of this measure is to:

- (1) Require the name and address of a candidate, candidate committee, noncandidate committee, or other person paying for a campaign advertisement to be displayed in a prominent location on the advertisement; and
- (2) Require, in the case of any multiple-page advertisement, the required disclosures be made on the first page of the advertisement or on the cover page of the publication if the advertisement is used as the lead article and displayed on the cover page of a state- or county-wide distributed publication.

Your Committee received testimony in support of this measure from Common Cause Hawaii, League of Women Voters, and seven individuals. Your Committee received testimony in opposition to this measure from the Campaign Spending Commission.

Your Committee finds that this measure will provide the public with more transparency and useful information regarding elections by requiring clearer notice on certain campaign advertisements to distinguish that the advertisement is a paid campaign advertisement.

Your Committee believes that in cases of single-page campaign advertisements, the need to require the name and address of a candidate, candidate committee, noncandidate committee, or other person paying for the advertisement to be displayed in a prominent location on the advertisement is irrelevant, as this requirement is already established under existing law. However, in cases of multiple-page campaign advertisements, such requirements will help to provide greater transparency.

Your Committee has accordingly amended this measure by:

- (1) Removing the provisions that would have required the name and address of a candidate, candidate committee, noncandidate committee, or other person paying for a campaign advertisement to be displayed in a prominent location on the advertisement;
- (2) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Judiciary & Hawaiian Affairs hear this measure, your Committee respectfully requests that it consider defining multiple-page advertisements to include multiple-page advertisements that are nonsequential, like those found in weekly tabloid papers.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 239, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 239, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 3 (Mizuno, Woodson, Ward).

SCRep. 601 Government Reform on H.B. No. 672

The purpose of this measure is to:

- (1) Include members of the Legislature under certain parts of the conflicts of interests law in the State Ethics Code; and
- (2) Clarify that the conflicts of interests law does not prohibit legislators from introducing legislation, serving on a committee, making statements, or taking action in the exercise of their legislative functions.

Your Committee received testimony in support of this measure from the Hawai'i State Ethics Commission, Common Cause Hawaii, and six individuals.

Your Committee finds that currently, the conflicts of interests law applies differently to legislators and other state employees. Your Committee believes that aligning the conflicts of interests law between legislators and other state employees through this measure will hold legislators to high ethical standards, while still protecting their ability to perform their constitutionally recognized legislative functions.

Your Committee has amended this measure by:

- (1) Removing language that would have prohibited a legislator from taking official action directly affecting a private undertaking in which the legislator was engaged as legal counsel, advisor, consultant, representative, or other agency capacity;
- (2) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that this measure, as introduced, included legislators under the provisions of the conflicts of interests law that prevent an official action to be taken that directly affects a private undertaking in which the employee is engaged as legal counsel, advisor, consultant, representative, or other agency capacity. However, your Committee finds that this inclusion may be too onerous and preclude a legislator from engaging in other activities, including legal activities and consultancy work. Your Committee has accordingly amended this measure to remove this language.

Your Committee additionally notes the testimony from the Hawaii State Ethics Commission, which observed that legislators are also bound by House and Senate conflict rules. Passage of this amended measure may still allow for an ethics action against a legislator even after the presiding officer of the legislative chamber for which that legislator belongs says no conflict exists.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 672, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 672, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 3 (Mizuno, Woodson, Ward).

SCRep. 602 Government Reform on H.B. No. 882

The purpose of this measure is to repeal the establishment of a Community Council on Purchase of Health and Human Services.

Your Committee received testimony in support of this measure from the State Procurement Office.

Your Committee finds that the Community Council on Purchase of Health and Human Services (Community Council) was established in 1997 as an advisory body to provide input and assistance to the State Procurement Administrator to develop the rules, infrastructure, and procedures for procuring health and human services. Your Committee further finds that more than twenty years later, the focus of health and human service procurements has changed as the rules are well-established and providers and purchasing agencies are acclimated to the process. Your Committee additionally finds that the last meeting of the Community Council was held on April 22, 2010, and a lack of quorum and lack of Governor-appointed members have prevented further meetings. Your Committee believes that state agencies and private providers are capable of communicating and working together in a dynamic paradigm and can refine and update procedures for planning, procuring, and contracting health and human services to meet today's needs without the support of the Community Council.

Your Committee notes that this measure, as introduced, only repeals the establishment of the Community Council on Purchase of Health and Human Services. Your Committee finds that this measure provides an opportunity to revamp the statutory provisions relating to the purchase of health and human services.

In working with stakeholders on this measure, your Committee has amended this measure by:

- (1) Requiring purchasing agencies to:
 - (A) Make a written determination that the amount of a contracting action for purchases of health and human services is fair and reasonable; and
 - (B) Obtain necessary data to perform a cost or price analysis to determine that the amount of the contracting action is a fair and reasonable price;
- (2) Amending the selection and composition of the Procurement Policy Board by reducing the number of members on the board from seven to six and making associated changes to the number of members who cannot otherwise be full-time government employees, who must be appointed by the Governor, and who serve on the nominating committee;
- (3) Amending the circumstances for when treatment services may be purchased and the procedure to purchase treatment services, including allowing for heads of purchasing agencies to publish notice describing the types of treatment services needed, form an initial review committee for each profession, and negotiate contracts;
- (4) Increasing the small purchase threshold from less than \$25,000 to less than \$100,000;
- (5) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 882, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 882, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 603 Corrections, Military, & Veterans on H.B. No. 835

The purpose of this measure is to appropriate funds to support the ongoing operations of the Hawaii National Guard Youth Challenge Program.

Your Committee received testimony in support of this measure from the Judiciary and fifteen individuals. Your Committee received comments on this measure from the Department of Defense.

Your Committee finds that the Hawaii National Guard Youth Challenge Program (Program) is a community-based program that provides and teaches life-changing structure, values, and skills for "at promise" youth throughout the State. The Program provides the necessary services to divert "at promise" youth from the juvenile justice system and also serves as a much-needed alternative to detention.

Should your Committee on Finance choose to hear this measure, your Committee notes that the recommended appropriation amount for the program is \$1,700,000.

Your Committee has amended this measure by changing the effective date to July 1, 3050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 835, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 835, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 604 Corrections, Military, & Veterans on H.B. No. 1033

The purpose of this measure is to make an emergency appropriation to provide funds for the Department of Public Safety to cover the costs of the personnel services shortfall at all correctional institutions statewide.

Your Committee received testimony in support of this measure from the Department of Public Safety.

Your Committee finds that the Department of Public Safety projected a shortfall in funding for fiscal year 2020-2021 for the Halawa, Kulani, and Waiawa Correctional Facilities, and the Hawaii, Maui, Oahu, Kauai, and Women's Community Correctional Centers. According to the Department, because it is severely short staffed, it has incurred substantial overtime charges and has consequently shut down programs. Your Committee also finds that the Department's staffing for its health care division has been critically reduced.

Your Committee has amended this measure by 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1033, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1033, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Kong).

SCRep. 605 Corrections, Military, & Veterans on H.B. No. 782

The purpose of this measure is to allow a person to apply for licensure on an expedited basis in the State of Hawaii who:

- (1) Is married to an active duty member of the military;
- (2) Accompanies their spouse on a permanent change of station to Hawaii; and
- (3) Holds a current, unencumbered license in another jurisdiction in specific professions.

Your Committee received testimony in support of this measure from the United States Indo-Pacific Command of the Department of Defense, Chamber of Commerce Hawaii, and five individuals. Your Committee received comments on this measure from the United States Department of Defense, State Department of Defense, and Department of Commerce and Consumer Affairs.

Your Committee finds that this measure streamlines the process for licensure of specified professions. In this manner, the measure supports active duty members of the military and their families by increasing the portability of careers for military spouses. This measure makes it easier for members and their spouses to relocate to Hawaii together and for spouses not to remain underemployed, thus promoting the family's financial stability. Your Committee further finds that Hawaii hosts the highest ratio of military spouses to local population of all fifty states.

Your Committee has amended this measure by:

- (1) Making it applicable to the National Guard and military reserve;
- (2) Providing that the total time period the person holds a license shall not exceed five years in the aggregate or the period covered under the member's military orders of assignment in the State;
- (3) Changing the effective date to July 1, 3050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 782, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 782, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Kong).

SCRep. 606 Corrections, Military, & Veterans on H.B. No. 290

The purpose of this measure is to repeal the military exemption for vehicle weight taxes.

Your Committee received testimony in support of this measure from the Department of Transportation and one individual. Your Committee received testimony in opposition to this measure from the Department of Defense.

Your Committee finds that the exemption provides an important benefit for the National Guard, military reserves, and military personnel claiming Hawaii as their residence. However, all users of the state highway system should contribute to its upkeep, and in 2019 alone, the exemption resulted in a reduction in state highway fund revenues of approximately \$478,000. Your Committee further finds that retaining the military exemption for the vehicle weight tax for another ten years strikes an appropriate balance.

Accordingly, your Committee has amended this measure by:

- (1) Providing that the exemption shall be repealed on June 30, 2031; and
- (2) Changing the effective date to July 1, 3050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 290, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 290, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, 1 (McDermott). Excused, 1 (Kong).

SCRep. 607 Health, Human Services, & Homelessness on H.B. No. 282

The purpose of this measure is to expand the circumstances under which a minor may consent to no cost emergency shelter and related services to include cases where the provider is coordinating with child welfare services.

Your Committee received testimony in support of this measure from the LGBT Caucus of the Democratic Party of Hawaii; Pride At Work; Hawaii Youth Services Network; Partners In Care, Oahu's Continuum of Care; Residential Youth Services & Empowerment; and three individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness and Department of Human Services.

Your Committee finds that programs that provide services to youths are currently prohibited from sheltering youth under the age of eighteen. As a result, homeless youth are left without a safe space to sleep at night and many often partner with older adults and end up in unlawful, exploitive situations. This measure seeks to increase access to emergency shelter for homeless youth by expanding the circumstances under which a minor may consent to no cost emergency shelter.

Your Committee has amended this measure by inserting an effective date of July 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 282, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 282, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 608 Health, Human Services, & Homelessness on H.B. No. 869

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist Luana Kai A Life Plan Community with the planning, design, construction, equipping, and operating of facilities for health-related services.

Your Committee received testimony in support of this measure from Luana Kai. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the issuance of Special Purpose Revenue Bonds will assist Luana Kai in the development, design, and construction of a life plan community in Hawaii Kai for seniors sixty-two years of age or older. Your Committee further finds that the proposed community would provide senior housing options to Hawaii Kai, which is an area that is underserved and lacking in sufficient senior housing options.

Your Committee has amended this measure by changing the effective date to July 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 869, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 869, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 609 Health, Human Services, & Homelessness on H.B. No. 975

The purpose of this measure is to add immunity from civil and criminal liability for individuals who provide information or assistance in child abuse investigations.

Your Committee received testimony in support of this measure from the Department of Human Services.

Your Committee finds that state law is currently not in compliance with the federal Child Abuse and Prevention Treatment Act, as amended, which would provide federal funding for prevention, assessment, investigation, prosecution, and treatment activities for child abuse and neglect. The United States Department of Human Services, Administration for Children and Families granted Hawaii an extension to bring state law into compliance and has warned the State that failure to do so by June 30, 2021, may result in no federal grant funding for Fiscal Year 2022, or until such time as the State comes into compliance. Accordingly, this measure must be signed into law before June 30, 2021, to ensure compliance and availability of federal funds.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 975, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 975, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 610 Health, Human Services, & Homelessness on H.B. No. 983

The purpose of this measure is to increase the cap for the Spouse and Child Abuse Special Fund to allow up to \$5,000,000 of federal reimbursements received from the United States Department of Health and Human Services, Administration for Children and Families, to be retained in the year following the fiscal year in which Family First Prevention Services funds and Title IV-E funds were expended.

Your Committee received testimony in support of this measure from the Department of Human Services.

Your Committee finds that the Department of Human Services returns approximately \$5,000,000 of federal Title IV-E reimbursements to the general fund when those reimbursements are received in the fiscal year after the funds were expended. This is partly due to the State and federal fiscal years not being on the same twelve-month cycle. Allowing the Department of Human Services to retain the amount returned will assist the Department with a stable and predictable source of non-federal funds eligible for federal reimbursement to administer programs and services that prevent, reduce, and respond to the impacts or incidents of spouse abuse and child abuse and neglect.

Your Committee has amended this measure by:

- (1) Changing the cap to an unspecified amount;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 983, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 983, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 611 Health, Human Services, & Homelessness on H.B. No. 984

The purpose of this measure is to increase the annual expenditure ceiling of the Office of Health Care Assurance Special Fund to offset increasing operational expenses that include contracts to implement a new management information and background check system as well as diminish dependence on the general fund.

Your Committee received testimony in support of this measure from the Department of Health.

Your Committee finds that this measure will enable the Department of Health to continue providing core services while decreasing the Department's reliance on general funds by shifting certain administrative costs to the Office of Health Care Assurance Special Fund.

Your Committee has amended this measure by:

- (1) Authorizing the enhancement of the Office of Health Care Assurance's capacity to conduct investigations as a permissible use of the Office of Health Care Assurance Special Fund;
- (2) Changing the proposed ceiling increase to an unspecified amount;
- (3) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 984, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 984, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 612 Health, Human Services, & Homelessness on H.B. No. 991

The purpose of this measure is to:

- (1) Allow the Department of Health to disclose vital statistics records for public health and law enforcement purposes; and
- (2) Update the eligibility requirements for access to confidential vital records.

Your Committee received testimony in support of this measure from the Department of Health and Honolulu Police Department. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that vital records include data about births, deaths, marriage or civil unions, and contain information such as race, ethnicity, cause of death, relative health at birth, and other qualitative data that is found in few other places. This measure authorizes the limited disclosure of certain records for research or studies through a review process by the Department of Health's Institutional Review Committee that is consistent with protocols and standards in academic and scientific human subject research and assures that requests serve an ethical public good, privacy is maintained, and that records are transmitted, stored, and disposed of properly.

Your Committee has amended this measure by:

- (1) Clarifying that the new data sharing conditions must be as authorized under existing law or in a manner consistent with rules adopted by the Department of Health;
- (2) Clarifying that direct and tangible interests in public health statistics records includes those persons or agencies who need to determine the death of a co-owner of property, rather than of real property;
- (3) Clarifying the role of the Department of Health's Institutional Review Committee in assuring the public health and public interest of proposed research or studies in vital statistics disclosures;
- (4) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 991, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 991, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 613 Health, Human Services, & Homelessness on H.B. No. 1119

The purpose of this measure is to subject social welfare organizations granted tax exempt status under section 501(c)(4) of the Internal Revenue Code to the same requirements as other charitable organizations that solicit funds from the public.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that some social welfare organizations granted tax exempt status under section 501(c)(4) of the Internal Revenue Code may spend an unregulated amount of funds to influence elections and otherwise engage in political activities without disclosing the identities of their donors or being subject to regulation or oversight. This measure will encourage transparency in campaign spending by expressly including 501(c)(4) organizations in the definition of "charitable organization" and subjecting 501(c)(4) organizations to the same oversight as other organizations soliciting funds from the public.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1119, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1119, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 614 Health, Human Services, & Homelessness on H.B. No. 1281

The purpose of this measure is to:

- (1) Transfer the duties, functions, and powers relating to emergency medical services for the City and County of Honolulu from the Department of Health to the City and County of Honolulu;
- (2) Appropriate general funds to the City and County of Honolulu for emergency medical services for Fiscal Year 2021-2022; and
- (3) Appropriate half of the monies in the Emergency Medical Services Special Fund to the City and County of Honolulu for emergency medical services

for Fiscal Years 2021-2022 and 2022-2023.

Your Committee received testimony in support of this measure from the Department of Health. Your Committee received comments on this measure from the Office of the Mayor of the City and County of Honolulu and Hawaii Medical Service Association.

Your Committee finds that under the current emergency medical services system, most costs are negotiated by the counties and paid by the State, resulting in a statewide operating cost of over \$100,000,000. Your Committee further finds that moving to a shared cost system and transferring many of the duties and responsibilities of operating an emergency medical services system to the City and County of Honolulu, as proposed by this measure, would reduce the State's financial burden while also providing the county with greater flexibility to deploy its own emergency medical services resources that will complement existing county-based services such as police and fire departments.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Health is responsible for administering and maintaining a communication system only within the areas of the State not covered by a county emergency medical services system;
- (2) Clarifying that the Department of Health is responsible for establishing standards and training dispatchers within the areas of the State not covered by a county emergency medical services system;
- (3) Clarifying that counties operating a county emergency medical service system are responsible for the purchase, maintenance, and servicing of all ambulance vehicles, equipment, supplies, and communication systems;
- (4) Clarifying that the transfer of rights, powers, functions, and duties for the operation of and emergency medical services system the City and County of Honolulu shall occur over a four-year period, beginning with the transfer of all training and billing for emergency services on July 1, 2021;
- (5) Establishing a graduated timeline for reductions in state funding over the four-year transition period;
- (6) Appropriating an unspecified amount of general funds to the City and County of Honolulu for emergency medical services for Fiscal Year 2022-2023;
- (7) Clarifying that the appropriation out of the Emergency Services Special Fund for Fiscal Years 2021-2022 and 2022-2023 is for the purpose of transferring half the monies in the special fund to the general fund;
- (8) Prohibiting funds from the Emergency Services Special Fund to be used for the operation of an emergency medical service system in the City and County of Honolulu; and
- (9) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1281, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1281, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Ward). Noes, none. Excused, none.

SCRep. 615 Health, Human Services, & Homelessness on H.B. No. 1283

The purpose of this measure is to require that employers of first responders develop and provide dementia training to first responders.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Alzheimer's Association, and four individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that persons suffering from dementia and Alzheimer's disease may appear uncooperative, disruptive, and combative when they have difficulty communicating and understanding what is happening, all behaviors that may complicate their interactions with first responders. This measure seeks to improve the safety of first responders and individuals suffering from dementia and Alzheimer's through the development of training for first responders that teaches how to recognize the signs of dementia and Alzheimer's and includes best practices for interaction with persons with dementia and Alzheimer's.

Your Committee has amended this measure by:

- (1) Permitting the Executive Office on Aging to set standards, frequency, and coordination for dementia training, rather than the Department of Health;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1283, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1283, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 616 Health, Human Services, & Homelessness/Higher Education & Technology on H.B. No. 1296

The purpose of this measure is to:

- (1) Repeal the Tobacco Enforcement Special Fund, Hawaii Tobacco Settlement Special Fund, and Hawaii Tobacco Prevention and Control Trust Fund and transfer unencumbered balances of these funds to the general fund; and
- (2) Appropriate general fund monies into the University Revenue-Undertakings Fund.

Your Committees received testimony in support of this measure from the Hawaii Smokers Alliance and nine individuals. Your Committees received testimony in opposition to this measure from the Department of the Attorney General; Department of Health; Department of Budget and Finance; University of Hawai'i System; John A. Burns School of Medicine; Lanai Community Health Center; Waikiki Health; After-School All-Stars Hawaii; Kapiolani Smokefree Families; University of Hawai'i Student Health Advisory Council; Keiki Injury Prevention Coalition; Hawaii COPD Coalition; Hawaii Primary Care Association; Coalition for a Tobacco-Free Hawaii; Kapiolani Medical Center for Women and Children; Campaign for Tobacco-Free Kids; Adventist Health Castle; Hawaii Community Foundation; Cancer Action Network; American Heart Association; American Lung Association; Bay Clinic, Inc.; Kokua Kalihi Valley Comprehensive Family Services; Blue Zones Project; I Ola Lahui; numerous individuals; and a petition with eleven individuals. Your Committees received comments on this measure from the Tax Foundation of Hawaii.

Your Committees find that because of the severe economic impact caused by the COVID-19 pandemic, the State must revisit and reconsider how programs are financed across the State. This measure will enable the State to address budget shortfalls by reallocating certain unencumbered money into the general fund, but will not preclude the State from using general funds on tobacco prevention programs.

As affirmed by the records of votes of the members of your Committees on Health, Human Services, & Homelessness and Higher Education & Technology that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1296 and recommend that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 5; Ayes with Reservations (Tam, Gates). Noes, 3 (Har, Kapela, Ward). Excused, none.

Higher Education & Technology: Ayes, 8; Ayes with Reservations (Gates, Okimoto). Noes, 3 (DeCoite, Ganaden, Kapela). Excused, 1 (Quinlan).

SCRep. 617 Judiciary & Hawaiian Affairs on H.B. No. 796

The purpose of this measure is to update the reporting requirements of the Department of Public Safety when inmate and employee deaths occur at correctional facilities and community correctional centers, including:

- (1) Requiring the race of the decedent to be included in the report;
- (2) Requiring the report to cite any authority relied upon by the Director of Public Safety in determining that information to be included in the report is protected by state or federal law; and
- (3) Making a copy of the report public and readily available to the family of the decedent and press upon the Director of Public Safety's receipt of the Medical Examiner's report.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Common Cause Hawaii, Community Alliance on Prisons, and five individuals. Your Committee received testimony in opposition to this measure from the Department of Public Safety. Your Committee received comments on this measure from the Department of the Attorney General and Civil Beat Law Center for the Public Interest.

Your Committee finds that the additional reporting requirements added by this measure will increase transparency, accountability, and accessibility of information regarding deaths at correctional facilities and community correctional centers. Your Committee further finds that the public, including the Legislature, has a compelling interest in the timely reporting of this information.

Your Committee has amended this measure by:

- (1) Inserting a preamble to provide that the public, including the Legislature, has a compelling interest in the timely reporting of the deaths of inmates and others at the State's correctional facilities and community correctional centers;
- (2) Requiring the Director of Public Safety to make a copy of the report public and readily available first to the family member or other person designated by the decedent and then to the press upon the Director of Public Safety's receipt of the Medical Examiner's report, subject to certain conditions; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 796, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 796, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 618 Judiciary & Hawaiian Affairs on H.B. No. 1311

The purpose of this measure is to address the shortage of affordable rental housing on Maui and maintain the viability of the Keawe Street affordable housing project by:

- (1) Removing the 2022 deadline for completion of the Leialii affordable housing project; and
- (2) Exempting the Leialii affordable housing project from the State's historic preservation law requirements.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that there is a severe shortage of affordable rental housing in the county of Maui, especially on the western portion of the island. Your Committee further finds that the Legislature appropriated \$37,000,000 to expedite and complete the Leialii affordable housing project by 2022. However, on September 21, 2020, the State Historic Preservation Division of the Department of Land and Natural Resources notified the Hawaii Housing Finance and Development Corporation that it would need a new archaeological inventory survey for the entire villages of the Leialii master planned community, which includes the Keawe street apartments affordable housing project. As a result of the mandated survey, the Leialii affordable housing project cannot meet its 2022 completion deadline and will lose its funding. This measure seeks to address these issues to provide much needed affordable housing on Maui.

Your Committee has amended this measure by:

- (1) Requiring the Leialii affordable housing project to comply with state requirements under historic preservation laws as funding is appropriated for each portion of the project to expedite the development of the project; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1311, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1311, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 619 Judiciary & Hawaiian Affairs on H.B. No. 446

The purpose of this measure is to:

- (1) Establish the felony offense of theft of a catalytic converter;
- (2) Prohibit persons licensed to purchase or sell used motor vehicle parts or accessories or licensed to wreck, salvage, or dismantle motor vehicles from accepting parts or accessories or a motor vehicle if the seller does not furnish certain information and require licensees to report the attempted sale to the police;
- (3) Increase the minimum and maximum allowable fine for violations of the law relating to used motor vehicle parts and accessories; and
- (4) Regulate the purchase of catalytic converters and catalytic converter metals by scrap dealers by:
 - (A) Requiring a written statement, photograph of the catalytic converter or catalytic converter metals, and verification of a seller's identification before a scrap dealer's purchase of a catalytic converter or catalytic converter metals; and
 - (B) Specifying recordkeeping requirements for the sale of a catalytic converter or catalytic converter metals.

Your Committee received testimony in support of this measure from the American Property Casualty Insurance Association of America, National Insurance Crime Bureau, Roberts Hawaii, Stolen Stuff Hawaii, Mo'opuna Motorcycle Club, and ten individuals. Your Committee received comments on this measure from the Department of the Attorney General, Hawaii Insurers Council, Industrial Battery Solutions LLC, and Schnitzer Steel Hawaii.

Your Committee finds that catalytic converters have extrinsic value outside of being just a motor vehicle part. The rise in prices associated with precious catalyst metals that are used in the construction of catalytic converters is causing catalytic converter theft to increase. The relative ease and speed in which a person can remove a catalytic converter, coupled with the financial reward for selling the scrap metal, is what drives thefts. Your Committee further finds that installing a replacement catalytic converter is expensive, and, because thieves hastily remove catalytic converters, other areas of the car may be damaged, which increases repair costs. Your Committee believes that this measure will help deter catalytic converter theft in Hawaii.

Your Committee has amended this measure by:

- (1) Exempting manufacturing, industrial, or other commercial vendors that generate or sell catalytic converters in the ordinary course of their business, such as a licensed scrap dealers, towing companies, and muffler repair shops, from providing a copy of a receipt when presenting catalytic converters or catalytic converter metals for purchase; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 446, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 446, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 620 Judiciary & Hawaiian Affairs on H.B. No. 1286

The purpose of this measure is to establish a statewide uniform law regarding mandatory self-quarantine rules and requirements. Specifically, this measure:

- (1) Exempts any person from post-arrival mandatory self-quarantine if the person receives a negative test result prior to arrival;
- (2) Specifies that any person who does not obtain a negative test result prior to arrival in the State will be responsible for all costs associated with that person's mandatory self-quarantine and isolation;
- (3) Authorizes the Incident Commander to establish conditions for exemptions; and
- (4) Requires certain COVID-19 tests for travelers who do not have a test result upon arrival.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii; Hawaii Medical Service Association; Makanalani Kids; Wyndham Destinations; Napili Kai Beach Resort; ABC Stores; Hawaii Food Industry Association; Sheraton Kauai Resort; Springboard Hospitality; Kona-Kohala Chamber of Commerce; Brennecke's Beach Broiler and Nukumoi Surf Co.; Club at Kukuiula; Airlines for America; Lealani Corp. dba Brennecke's; Hawai'i Lodging & Tourism Association; Kohala Coast Resort Association; Retail Merchants of Hawaii; Castle Hospitality Group; Roberts Hawaii; LBD Coffee, LLC; Hawai'i Farm Bureau; International Market Place; Enterprise Holdings; Ho'okipa Partners, LLC; Koloa Landing Resort at Poipu; Garden Island Rentals; T S Restaurants; Royal Hawaiian Center; Azul Hawaii Resorts; Wyndham Ka'Eo Kai & Shearwater; Aqua-Aston Hospitality; Management Information Consultants; Marriott Vacations Worldwide Corporation, Hawai'i; Kaua'i Chamber; Maui Seaside Hotel; Prince Waikiki Hotel & Hawaii Prince Golf Club; Waikoloa Beach Marriott Resort and Ocean Club; Prince Resorts Hawaii; Four Seasons Resort Maui; The Kahala Hotel & Resort; The Laylow; HIGHGATE Hotels in Hawaii; Ala Moana Hotel by Mantra; Food & Wine Festival; Waikiki Improvement Association; Pacific Mirror & Glass; Waikiki Resort Hotel; Fairmont Orchid; Aloha Festival; Outrigger Hospitality Group; Rental By Owner Awareness Association; Mahana Weddings Maui; Grand Hyatt Kauai Resort & Spa; and numerous individuals. Your Committee received testimony in opposition to this measure from the Mayor of the County of Hawai'i, two members of the Maui County Council, one member of the Kaua'i County Council, Kayak Kaua'i, Pono Hawai'i Initiative, Maui Chamber of Commerce, and numerous individuals. Your Committee received comments on this measure from the Department of Health, Hawaii Emergency Management Agency, Hawaii Tourism Authority, and five individuals.

Your Committee finds that due to the COVID-19 pandemic, Hawaii implemented the very first post-arrival mandatory self-quarantine of all individuals arriving in the State. As the number of COVID-19 cases decreased, the State began opening up and allowing people who could provide a negative COVID-19 test from a trusted partner to bypass the mandatory self-quarantine in hopes of stimulating the economy. However, your Committee notes that currently, each county is authorized to establish their own rules regarding self-quarantine for individuals entering the respective county. This has caused confusion and difficulties for residents and visitors as each county has different rules. Your Committee believes that having a uniform law regarding mandatory self-quarantine will allow the State to welcome more people, thereby stimulating the economy and improving the quality of life for residents and visitors of Hawaii.

Your Committee has amended this measure by:

- (1) Specifying that the Governor, instead of the Incident Commander, shall establish conditions when a person is automatically exempt from the mandatory self-quarantine;
- (2) Inserting language that prohibits this measure from being suspended, including by emergency suspension powers of the Governor, except by adoption of a concurrent resolution by each house of the Legislature; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in

accord with the intent and purpose of H.B. No. 1286, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1286, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (McKelvey, Ward). Noes, 2 (Nakamura, Tokioka). Excused, 2 (Lowen, Takumi).

SCRep. 621 Judiciary & Hawaiian Affairs on H.B. No. 643

The purpose of this measure is to:

- (1) Establish the offense of harassment against an essential worker during an emergency; and
- (2) Amend various definitions of the emergency management laws to address pandemics.

Your Committee received testimony in support of this measure from the Honolulu Police Department; Hawaii State AFL-CIO; Pride at Work; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; IATSE Local 665; United Food & Commercial Workers Union, Local 480; United Public Workers, AFSCME Local 646, AFL-CIO; LGBT Caucus of the Democratic Party of Hawaii; Hawai'i Nurses' Association; ILWU Local 142; and one individual. Your Committee received testimony in opposition to this measure from the Berean Beacon Ministry, For Our Rights, Honolulu County Republican Party, Kauai Republican Party, Aloha Festival, Hawaii Federation of Republican Women, and numerous individuals. Your Committee received comments on this measure from the Department of the Attorney General and the Hawaii Emergency Management Agency.

Your Committee finds that due to the COVID-19 pandemic, the State and counties have had to impose certain restrictions in order to combat the pandemic. Your Committee further finds that essential workers were responsible for enforcing some of these restrictions during the emergency period, which has led to unwarranted pushback and harassment against essential workers. This measure will provide the necessary protections for essential workers during an emergency to ensure that they can continue offering critical services to residents without impediment or disruption.

Your Committee has amended this measure by:

- (1) Changing references from a "person" and "recipient" to an "essential worker" for purposes of determining what is considered harassment against an essential worker;
- (2) Clarifying what constitutes an "emergency period"; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 643, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 643, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, 2 (D. Kobayashi, Ward). Excused, 2 (Takumi, Tokioka).

SCRep. 622 Judiciary & Hawaiian Affairs on H.B. No. 245

The purpose of this measure is to amend the definition of "historic property" under the historic preservation law to include the requirement that the property meet the criteria for being entered into the Hawaii Register of Historic Places.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received testimony in opposition to this measure from Minatoishi Architects, Ka Lāhui Hawai'i Kōmike Kalai'āina, and eight individuals. Your Committee received comments on this measure from the Office of Hawaiian Affairs Beneficiary Advocacy and Empowerment Committee and Historic Hawai'i Foundation.

Your Committee finds that the current definition of "historic property" has created a backlog of reviews for properties simply due to the age of the properties. This measure, by specifying that historic properties meet the criteria for entry into the Hawaii Register of Historic Places, will narrow the focus for the administration of the historic preservation law to properties of greater historic significance rather than solely based on age.

Your Committee has amended this measure by:

- (1) Clarifying that the requirement that the property meet the criteria for being entered into the Hawaii Register of Historic Places applies to buildings, inclusive of privately owned homes; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 245, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 245, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 623 Consumer Protection & Commerce on H.B. No. 1142

The purpose of this measure is to:

- (1) Establish a surcharge on the sale of high-end gasoline-powered vehicles to fund the installation of electric vehicle charging systems; and
- (2) Establish the Electric Vehicle Charging System Subaccount within the Public Utilities Commission Special Fund.

Your Committee received testimony in support of this measure from the Ulupono Initiative; Tesla, Inc.; Blue Planet Foundation; Hawaii Electric Vehicle Association; and two individuals. Your Committee received testimony in opposition to this measure from the Cutter Management Co.; JN Group; Hawaii Automobile Dealers Association; Alliance for Automotive Innovation; Servco Pacific Inc.; King Windward Nissan; Infiniti of Honolulu; King Auto Center; Aloha Auto Group, Ltd.; New City Nissan; Tony Group; and Hawaii Laborers' Union Local 368. Your Committee received comments on this measure from the Department of Taxation, Hawaii State Energy Office, Public Utilities Commission, Hawai'i Energy, Hawaiian Electric Company, and Tax Foundation of Hawaii.

Your Committee finds that the State is committed to expanding strategies and mechanisms to reduce greenhouse gas emissions through the reduction of energy use, adoption of renewable energy, and control of air pollution. Your Committee further finds that ground transportation accounts for fifty-one percent of total energy sector emissions and forty-seven percent of total transportation emissions. Your Committee recognizes that further mechanisms are necessary to promote renewable energy-powered motor vehicles and further discussion is needed to assess the appropriate price point regarding the surcharge

applicability.

Your Committee notes the concerns raised in testimony before your Committee regarding the potential lost tax revenue from the lack of general excise and use tax collection for the approximately one hundred thousand private party used car sales transactions in the State. Your Committee further notes the testimony from the Department of Taxation, requesting an effective date of January 1, 2022, or later, in order to give the Department sufficient time to amend its forms, instructions, and computer systems necessary to implement this measure.

Your Committee has amended this measure by:

- (1) Changing the published manufacturer's suggested retail price on the applicability of the surcharge for the sale of high-end gasoline-powered vehicles from \$50,000 or more to \$60,000 or more; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

Should your Committee on Finance hear this amended measure, your Committee respectfully requests that it consider including an appropriation from and an expenditure ceiling increase for the Public Utilities Commission Special Fund to account for the administration of the Electric Vehicle Charging System Rebate Program.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1142, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1142, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Har, Morikawa, Onishi, Tarnas, Matsumoto). Noes, 1 (Kong). Excused, 1 (Hashem).

SCRep. 624 Consumer Protection & Commerce on H.B. No. 477

The purpose of this measure is to:

- (1) Allow medical cannabis dispensaries to transport up to three thousand grams of cannabis or manufactured cannabis products to purchasing dispensaries;
- (2) Include propagules and cuttings in the definition of "cannabis", thereby allowing dispensaries to transport and sell propagules and cuttings to other dispensaries and allowing qualifying patients and primary caregivers to purchase propagules and cuttings;
- (3) Change the allowable number of production centers and retail dispensing locations per medical cannabis dispensary license; and
- (4) Allow sales of cannabis and manufactured cannabis products between licensed medical cannabis dispensaries.

Your Committee received testimony in support of this measure from the Hawai'i Cannabis Industry Association, Green Aloha Ltd., Big Island Grown Dispensaries, Medcan Hawaii LLC, and two individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Public Safety, and Department of Health.

Your Committee finds that this measure is intended to enhance the State's medical cannabis dispensary program by authorizing additional facilities to ensure greater patient access, adding additional product controls and safety, and providing improvements needed for better administration of the medical cannabis dispensary program.

Your Committee has amended this measure by:

- (1) Clarifying that as long as federal law prohibits transportation of medical cannabis over a body of water, dispensary-to-dispensary sales may only occur between dispensaries located on the same island;
- (2) Specifying that, beginning December 31, 2021, qualifying patients shall only obtain medical cannabis or manufactured cannabis products from licensed dispensaries or by cultivating cannabis at an authorized grow site used by no more than two, rather than five, qualifying patients;
- (3) Authorizing the Department of Health or law enforcement, upon the request of the Department, to make administrative inspections of registered grow sites for purposes of verifying compliance;
- (4) Prohibiting primary caregivers from cultivating cannabis for qualifying patients after December 31, 2021;
- (5) Removing language permitting the sale of cannabis cuttings and propagules and making associated conforming amendments;
- (6) Specifying that the Department of Health shall establish manufacturing and product stability standards, rather than sanitation standards, for the manufacture of manufactured cannabis products; and
- (7) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 477, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 477, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 625 Consumer Protection & Commerce on H.B. No. 592

The purpose of this measure is to require the Public Utilities Commission to:

- (1) Explore, through its docket process, solutions to the problems posed by siting of above-ground electrical infrastructure in high-risk areas; and
- (2) Submit a report to the Legislature prior to the Regular Session of 2022.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Public Utilities Commission.

Your Committee finds that the complexities of determining whether to place electric transmission and distribution lines above or below ground requires consideration of many factors, including cost, power restoration, transmission capacity, construction impacts, risk assessment, and rate impact on consumers. Your Committee further finds that exploring solutions to the problems posed by siting above-ground electrical infrastructure in high-risk areas will lend to better assessment and sound decisions for the State's energy infrastructure by taking into account the types of terrain and other variables.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 592, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Har).

SCRep. 626 Consumer Protection & Commerce on H.B. No. 227

The purpose of this measure is to:

- (1) Clarify the group of professionals who are prohibited from knowingly referring or transferring patients to an uncertified or unlicensed care facility;
- (2) Repeal the provision that a landlord, under specified conditions, shall not be deemed to be providing home care services or operating a care facility that requires a license; and
- (3) Require the Department of Health to prioritize complaint allegations based on severity for investigations of state-licensed or state-certified care facilities.

Your Committee received testimony in support of this measure from the Department of Health, Alliance of Professional Primary Care Administrators, Adult Foster Home Association of Hawaii, and numerous individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that the licensure of care homes and care facilities assures the public that such homes and facilities are staffed with persons with the education and training to provide the expected level of care. The continued operation of unlicensed care homes and facilities in the State remains a concern. Accordingly, this measure supports enforcement activities by the Department of Health, which are critical in the State's regulatory efforts to ensure the health and well-being of Hawaii's elderly and vulnerable populations.

Your Committee has amended this measure by clarifying the group of professionals who are prohibited from knowingly referring or transferring patients to an uncertified or unlicensed care facility, to avoid inadvertently omitting professions that are in the business of referring vulnerable persons or families.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 227, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 227, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Har).

SCRep. 627 Consumer Protection & Commerce on H.B. No. 485

The purpose of this measure is to amend the amount of the rental motor vehicle surcharge tax from \$5 to an unspecified amount.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received testimony in opposition to this measure from the Avis Budget Group and Enterprise Holdings. Your Committee received comments on this measure from the Department of Taxation, Mayor of the County of Maui, and Tax Foundation of Hawaii.

Your Committee finds that traffic congestion is a serious problem that negatively affects the quality of life for residents and visitors of the State. Your Committee further finds that the increased presence of rental motor vehicles exacerbates traffic congestion in the State and contributes to the degradation of state roadways. Your Committee believes that as the number of rental motor vehicles continue to grow, there must be an equal financial increase to offset the damage done to the State's roads. This measure will provide safer infrastructure enhancements for all users of the State's roads by amending the amount of the rental motor vehicle surcharge.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 485, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Har).

SCRep. 628 Consumer Protection & Commerce on H.B. No. 718

The purpose of this measure is to require the Department of Human Services to compile data and identify employers that have numerous employees enrolled in public assistance programs.

Your Committee received comments on this measure from the Department of Labor and Industrial Relations, Department of Human Services, and Civil Beat Law Center for the Public Interest.

Your Committee finds that there is contention over whether employers are relying on the provision of government assistance to provide lower wages. Your Committee finds that compiling data regarding employers having employees who receive public assistance will allow the Legislature and other policy makers to develop a deeper understanding of the causes and sources of underemployment and poverty wages, and the resulting economic impacts on society, business, and the state budget.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 718, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Har).

SCRep. 629 Consumer Protection & Commerce on H.B. No. 302

The purpose of this measure is to:

- (1) Authorize advanced practice registered nurses to certify whether a person is totally disabled for purposes of the income tax code;
- (2) Authorize advanced practice registered nurses with psychiatric specializations to make capacity determinations for the purposes of advance mental health care directives; and
- (3) Add advanced practice registered nurses with psychiatric specializations as primary providers in advance mental health care directives.

Your Committee received testimony in support of this measure from the Hawai'i State Center for Nursing, Hawai'i Nurses' Association, Hawai'i Association of Professional Nurses, Hawai'i – American Nurses Association, The Queen's Health Systems, and six individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Taxation, Board of Nursing, and one individual.

Your Committee finds that advanced practice registered nurses are currently permitted to practice to the full scope of their authorized practice, including practicing as primary care providers. However, certain sections of state law do not include advanced practice registered nurses within the scope of primary care providers for the purposes of disability determinations under the state income tax code or for advance mental health care directives. This measure is intended to amend state law to be in conformity with the current scope of practice for advanced practice registered nurses, which will improve access to care for Hawaii consumers.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 302, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Kitagawa, Matsumoto). Noes, none. Excused, 1 (Har).

SCRep. 630 Consumer Protection & Commerce on H.B. No. 1144

The purpose of this measure is to:

- (1) Exempt from the general excise tax law amounts received from the interisland transportation and related loading and unloading of agricultural commodities, regardless of whether the agricultural commodities were produced in the State; and
- (2) Require the Public Utilities Commission to authorize preferential water carrier service rates by tariff for ratepayers that operate farms or ranches located in any county with a population equal to or less than five hundred thousand.

Your Committee received testimony in support of this measure from the Hawaii Farm Bureau and Maui County Farm Bureau. Your Committee received comments on this measure from the Department of Taxation, Department of Commerce and Consumer Affairs, Department of Agriculture, Public Utilities Commission, Tax Foundation of Hawaii, Young Brothers, and Ulupono Initiative.

Your Committee notes the importance of the continuation of essential services, such as interisland transportation, at affordable rates. Although preferential rates are one option to provide direct savings to a specific customer group, the costs are likely to be borne by all other customers through base rates or other recovery mechanisms.

Your Committee has amended this measure by:

- (1) Deleting the requirement that the Public Utilities Commission authorize preferential water carrier service rates by tariff for ratepayers that operate farms or ranches located in any county with a population equal to or less than five hundred thousand; and
- (2) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1144, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1144, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Har).

SCRep. 631 Consumer Protection & Commerce on H.B. No. 1192

The purpose of this measure is to:

- (1) Authorize small dollar loan transactions in the State with certain interest rate and fee requirements, and require entities that provide small dollar loans be licensed by the Division of Financial Institutions of the Department of Commerce and Consumer Affairs;
- (2) Appropriate funds for additional staff for the Division of Financial Institutions;
- (3) Implement various consumer protection measures with regard to check cashers that enter into deferred deposit transactions, including:
 - (A) Requiring check cashers to register with the Department of Commerce and Consumer Affairs;
 - (B) Requiring check cashers to offer a voluntary payment plan for deferred deposit transactions;
 - (C) Requiring check cashers to take reasonable measures to ensure that consumers are limited to one deferred deposit transaction at a time; and
 - (D) Requiring check cashers that enter into deferred deposit transactions to provide additional disclosures and post notices; and
- (4) Require the Division of Financial Institutions to conduct an analysis of the implementation of the regulations on payday lenders and its impact on consumer protection in the State.

Your Committee received testimony in opposition to this measure from Maui Loan Inc.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed H.D. 1, which amends this measure by:

- (1) Renaming small dollar loans and small dollar lenders as installment loans and installment lenders;
- (2) Clarifying the disclosure requirements for installment loans;
- (3) Clarifying the duties of an installment lender to verify that a consumer does not have any outstanding installment loans before entering into an installment loan with the consumer;
- (4) Clarifying an installment lender's authority to pledge, negotiate, sell, or assign an installment loan;
- (5) Amending the fee amounts in the check cashers law; and
- (6) Clarifying the verification of a customer's gross monthly income for purposes of determining the amount a personal check may be written pursuant to a deferred deposit transaction.

Your Committee received testimony in support of the proposed H.D. 1 from Dollar Financial Group. Your Committee received comments on the proposed H.D. 1 from the Department of Commerce and Consumer Affairs and Office of Information Practices.

Your Committee finds that twenty-one percent of all households in Hawaii use an alternative financial service product, such as a check cashing or payday loan service, at least once during the year. Alternative financial service products provide essential financial assistance to unbanked and underbanked persons who do not have access to traditional financial service products. Your Committee further finds, however, that because of the State's existing deferred deposit laws, consumers who use payday lending can get trapped in unsustainable cycles of debt. Your Committee believes it is necessary to establish an alternative

financial product that does not impose the high costs associated with payday loans.

Your Committee additionally finds that the establishment of alternative installment loans will allow unbanked and underbanked persons to transition to more traditional financial products. Your Committee further finds that the establishment of alternative installment loans ensures that viable financial products are available to serve the unbanked and underbanked population with adequate consumer protections.

It is the intent of the proposed H.D. 1 to transition the market of payday loans in the State to installment loans over a two-year period.

Your Committee has amended this measure by adopting the proposed H.D. 1 and further amending the measure by:

- (1) Clarifying that the intent of this measure is to provide a two-year interim transition period that allows providers of deferred deposit transactions to transition to installment loan lenders;
- (2) Deleting the various provisions for check cashers relating to registration, recordkeeping, notice, and terms of the transactions;
- (3) Requiring the Division of Financial Institutions to submit a report to the Legislature on the implementation of this measure and an update on the progress of transitioning check cashers that enter into deferred deposit transactions to installment lenders as established by this measure, rather than requiring the Division to conduct an analysis of the implementation of the regulation of payday lenders and deferred deposit agreements;
- (4) Clarifying that the appropriation in this measure may also be used for resources to implement this measure, including the procurement of an electronic system to assist in the regulation of installment loan lenders;
- (5) Repealing statutes authorizing deferred deposits on July 1, 2023;
- (6) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (7) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1192, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1192, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 632 Consumer Protection & Commerce on H.B. No. 137

The purpose of this measure is to:

- (1) Remove the authority of the county liquor commissions to enforce the liquor tax law and require violations of the liquor tax law to be referred to the Director of Taxation for investigation;
- (2) Repeal the discretionary power of the county liquor commissions to deny a license to any person the county liquor commissions find is not fit and proper to hold a license;
- (3) Require applications for liquor licenses to be notarized;
- (4) Provide the administrators of the county liquor commissions discretion over whether to refer applications for investigation; and
- (5) Repeal the requirement that investigative reports to the county liquor commissions include whether an applicant is a fit and proper person for licensure and any and all matters that are relevant to the application or license in the judgment of the investigator.

Your Committee received testimony in support of this measure from the Liquor Commission of the City and County of Honolulu. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the liquor laws are administered and enforced by the county liquor commissions. Your Committee further finds that the county liquor commissions jointly enforce the liquor tax laws. Your Committee notes that this measure is intended to streamline the licensing process and remove unnecessary or undefined statutory language.

Your Committee has amended this measure by:

- (1) Making conforming amendments to the liquor tax law to remove the authority of the county liquor commissions to investigate liquor tax law violations;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 137, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 137, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Har).

SCRep. 633 Consumer Protection & Commerce on H.B. No. 576

The purpose of this measure is to require that abortions be performed in a licensed hospital and to authorize licensed physician assistants and advanced practice registered nurses to perform aspiration abortions.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, LGBT Caucus and Women's Caucus of the Democratic Party of Hawai'i, AAUW of Hawai'i, Hawaii Section of the American College of Obstetricians and Gynecologists, Hawai'i Women's Coalition, Common Cause Hawaii, Hudson Law, American Civil Liberties Union of Hawai'i, Hawaii Maternal & Infant Health Collaborative, Planned Parenthood Votes Northwest and Hawaii, Save Medicaid Hawaii, Health Mothers Health Babies Coalition of Hawai'i, numerous individuals, and a petition with numerous individuals. Your Committee received testimony in opposition to this measure from the Honolulu County Republican Party, A Place for Women in Waipio, Hawaii Family Forum, Hawaii Life Alliance, and numerous individuals. Your Committee received comments on this measure from the Board of Nursing, Hawaii Medical Board, and Hawai'i State Center for Nursing.

Your Committee finds that aspiration abortions are one of the most common methods of abortion for early first trimester abortions. Your Committee further finds that under existing state law, only physicians are permitted to provide aspiration abortion care, while other qualified health care providers are denied from providing this reproductive health care service. Your Committee notes that numerous studies have found no difference in abortion safety when performed

by a qualified licensed health care provider other than a physician.

Your Committee further finds that the restrictions under existing law place an unnecessary burden on abortion care, which disproportionately and negatively impacts residents in rural and medically underserved areas of the State. This measure ensures that people in Hawaii can access abortion care with fewer financial and logistical barriers and stay in their respective communities to get care from trusted providers.

Your Committee has amended this measure by:

- (1) Removing physicians assistants as qualified health care providers authorized to perform aspiration abortions;
- (2) Moving provisions authorizing advanced practice registered nurses to perform aspiration abortions from Chapter 453, Hawaii Revised Statutes, relating to medicine and surgery, to a more appropriate placement in Chapter 457, Hawaii Revised Statutes, relating to nurses;
- (3) Clarifying that certain advanced practice registered nurses are authorized to perform medication abortions;
- (4) Clarifying that the abortion care authorized by this measure includes the intentional termination of a nonviable fetus in the first trimester of pregnancy;
- (5) Duplicating language regarding penalties for knowing violations of the law and right of refusal to perform as is found in the law governing abortions performed by physicians or surgeons; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 576, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.B. No. 576, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Kitagawa). Noes, 2 (Kong, Matsumoto). Excused, 1 (Har).

SCRep. 634 Consumer Protection & Commerce on H.B. No. 598

The purpose of this measure is to:

- (1) Establish the offense of unlawful shipment of tobacco products;
- (2) Increase the license fee for persons engaged as a wholesaler or dealer of cigarettes and tobacco products;
- (3) Increase the retail tobacco permit fee for retailers engaged in the retail sale of cigarettes and tobacco products;
- (4) Allocate a portion of funds collected from excise taxes on tobacco products to health education and prevention programs concerning the risks and dangers of the use of electronic smoking devices for youth; and
- (5) Repeal various statutory provisions relating to electronic smoking devices.

Your Committee received testimony in support of this measure from the Hawaii Substance Abuse Coalition, Hawaii State Teachers Association, Hawaii Dental Association, American Cancer Society Cancer Action Network, AlohaCare, Blue Zones Project, and ten individuals. Your Committee received testimony in opposition to this measure from Black Lava Vape, Americans for Tax Reform, American Vaping Association, VOLCANO Vape Shops, Retail Merchants of Hawaii, Hawaii Smokers Alliance, Hawaii Cigar Association, and numerous individuals. Your Committee received comments on this measure from the Department of Health; Department of Taxation; Department of the Attorney General; Tax Foundation of Hawaii; Hawaii Food Industry Association; Coalition for a Tobacco-Free Hawai'i; Hawaii Primary Care Association; American Heart Association; American Lung Association in Hawaii; Kauai Cigar Company; Cigar Rights of America, Hawai'i; and two individuals.

Your Committee finds that use of electronic smoking devices by youth and adults has become a public health concern. Since electronic smoking devices remain unregulated, electronic smoking device companies have aggressively marketed their products by glamorizing their use, using celebrities and young adults as endorsers, and making false health claims. Your Committee believes that the rapid growth of the electronic smoking device industry, including retail businesses selling electronic smoking devices, necessitates further regulations to protect consumers.

Your Committee further finds that a October 2020 poll conducted on behalf of the Coalition for a Tobacco-Free Hawaii found that ninety-five percent of registered Hawaii voters believe it is important to dedicate some of the funding from a electronic smoking device tax to tobacco prevention and cessation programs. This measure allocates a portion of funds collected from excise taxes on tobacco products to fund health education and prevention programs concerning the risks and dangers of electronic smoking devices for youth.

Your Committee has amended this measure by:

- (1) Clarifying that the requirement to specify whether a place of business sells electronic smoking devices applies to the initial application for and the renewal of a retail tobacco permit; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 598, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 598, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, 1 (Kong). Excused, 1 (Har).

SCRep. 635 Consumer Protection & Commerce on H.B. No. 476

The purpose of this measure is to make various amendments to the State's cigarette tax and tobacco tax law to treat e-liquid and e-liquid cartridges like cigarettes and tobacco products, including:

- (1) Imposing a fifty percent tax on products with a modified risk tobacco product order issued by the Secretary of the United States Department of Health and Human Services;
- (2) Imposing an excise tax on the sale of each e-liquid cartridge or unit of open system e-liquid sold, used, or possessed by a wholesaler or dealer;
- (3) Requiring wholesalers and retailers of e-liquid and e-liquid cartridges to obtain licenses and permits to operate;
- (4) Amending definitions; and

(5) Making other conforming amendments.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Substance Abuse Coalition, Hawaii State Teachers Association, and AlohaCare. Your Committee received testimony in opposition to this measure from Black Lava Vape; Americans for Tax Reforms; Hawaii Cigar Association; Kauai Cigar Company; Premium Cigar Association; American Vaping Association; Smoke-Free Alternatives Trade Association; Volcano; Cigar Rights of America, Hawai'i; Retail Merchants of Hawaii; Hawaii Smokers Alliance; and numerous individuals. Your Committee received comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, Hawaii Primary Care Association, American Heart Association, Coalition for a Tobacco-Free Hawai'i, Campaign for Tobacco-Free Kids, American Cancer Society Cancer Action Network, American Lung Association in Hawaii, and five individuals.

Your Committee finds that electronic smoking devices produce an aerosol by heating a liquid that usually contains nicotine, flavorings, and other chemicals that help make the aerosol. The aerosol is inhaled into the user's lungs and, when exhaled by the user, may be inhaled by bystanders. Your Committee further finds that the federal Centers for Disease Control and Prevention have stated that electronic smoking devices are not safe for youth, young adults, and pregnant adults. However, the use of electronic smoking devices has been increasing exponentially among youth in Hawaii. While the use of electronic smoking devices by youth have risen nationally, use in Hawaii by youths is even higher. Your Committee also finds that the rapid growth of the electronic smoking device industry necessitates further regulation to protect consumers. Your Committee believes that certain measures must be taken to deter the use of electronic smoking devices, especially by the youth.

Your Committee notes that in Hawaii, electronic smoking devices are not taxed like other tobacco products and can often be purchased at lower prices than cigarettes. The State's existing tax laws also do not cover solutions containing nicotine, such as e-liquids, that are designed or sold for use with electronic smoking devices. Your Committee further finds that increasing the price of tobacco products is the single most effective way to reduce consumption. Achieving tax parity for all tobacco products, as proposed by this measure, will therefore protect against price disparities and serve as an important tool to combat the youth vaping epidemic in Hawaii.

Your Committee has amended this measure by specifying that the taxation of modified risk tobacco products is equal to fifty percent of the wholesale price of every wholesaler for each modified risk tobacco product sold, used, or possessed by a wholesaler.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 476, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 476, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Kong). Noes, none. Excused, 1 (Har).

SCRep. 636 Consumer Protection & Commerce on H.B. No. 826

The purpose of this measure is to:

- (1) Expand the purposes for which monies in the Tobacco Enforcement Special Fund may be used, to include all functions of the Department of the Attorney General;
- (2) Better regulate and ensure the removal of unsafe, noncertified electronic nicotine delivery systems from the marketplace by expanding the scope of the Electronic Smoking Device Retailer Registration Unit within the Department of the Attorney General to include enforcement of compliance of electronic smoking devices with the federal Food, Drug, and Cosmetic Act;
- (3) Establish a special fund for the deposit of monies collected for violations of electronic smoking device compliance; and
- (4) Curb the use of electronic smoking devices and tobacco products by amending the fine amounts for persons under twenty-one years of age who purchase or possess such devices or products.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association. Your Committee received testimony in opposition to this measure from the Department of Health, American Heart Association, Coalition for a Tobacco-Free Hawai'i, Black Lava Vape, American Cancer Society Cancer Action Network, Smoke-Free Alternatives Trade Association, AlohaCare, Blue Zones Project, Hawaii Smokers Alliance, American Vaping Association, and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of the Attorney General, and two individuals.

Your Committee finds that the federal Centers for Disease Control and Prevention have stated that electronic smoking devices are not safe for youth, young adults, and pregnant adults. However, the use of electronic smoking devices has been increasing exponentially among youth in Hawaii. Your Committee further finds that the rapid growth of the electronic smoking device industry necessitates further regulation to protect consumers.

Your Committee acknowledges the concerns raised in testimony by the Department of the Attorney General, regarding the expanded use of tobacco funds as well as the creation of Department enforcement authority and whether that could be deemed contrary to the obligations established by the 1998 Tobacco Master Settlement Agreement. Your Committee notes that the intent of this measure is to not compromise the existing Tobacco Master Settlement Agreement mandated enforcement activities, but rather to provide additionally enforcement-related resources to the Department of the Attorney General to protect public health for all nicotine related products. Your Committee also notes that a substantial portion of the Master Settlement Agreement funds already go into the general fund, and as such, the enforcement activities proposed by this measure are unlikely to jeopardize Hawaii's receipt of tobacco fund monies.

Your Committee further finds that more robust enforcement for underage electronic smoking device usage in the State is necessary. However, your Committee notes that the proposed amendment in this measure to the existing fines for purchase or possession of electronic smoking devices by persons under twenty-one years of age is not meant to be exorbitant. Rather, it is meant to promote further discussion on the most appropriate means to deter the use of electronic smoking devices by youth, including whether the fine should be imposed on adults that help youth acquire these devices.

Your Committee has amended this measure by:

- (1) Clarifying that the intent of this measure is to not compromise the existing Tobacco Master Settlement Agreement mandated enforcement activities, but to provide additional enforcement-related resources to the Department of the Attorney General to protect public health for all nicotine related products;
- (2) Including a blank appropriation for the hiring of permanent staff and equipment within the Department of the Attorney General; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance choose to hear this measure, your Committee respectfully requests that it consider inserting an appropriation amount of \$768,100 for seven full-time equivalent (7.0 FTE) permanent positions and related equipment for the Department of the Attorney General to carry out the additional responsibilities and duties proposed by this measure.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 826, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 826, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Kong). Noes, none. Excused, 1 (Har).

SCRep. 637 Consumer Protection & Commerce on H.B. No. 1014

The purpose of this measure is to:

- (1) Give priority to the Department of Land and Natural Resources to use land that was transferred for productive agricultural uses, subject to certain conditions;
- (2) Require a third-party advisory committee to be established before the disposition or transfer of any disputed lands; and
- (3) Authorize the Board of Land and Natural Resources to amend and extend existing pasture leases and to issue new pasture leases by negotiation in furtherance of public purposes the Department of Land and Natural Resources is responsible for promoting.

Your Committee received testimony in opposition to this measure from the Kapapala Ranch. Your Committee received comments on this measure from the Department of Land and Natural Resources; Department of Agriculture; Ulupono Initiative; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; and Climate Protectors Hawaii.

Your Committee finds that under chapter 166E, Hawaii Revised Statutes (chapter 166E), the Department of Land and Natural Resources is permitted to transfer certain state lands to the Department of Agriculture. This has led to the transfer of 18,491 acres. However, chapter 166E does not mandate the transfer; rather the Department of Land and Natural Resources and Department of Agriculture are to reach a mutual agreement on whether the lands are appropriate for transfer, which has stagnated the process of transferring lands.

Your Committee further finds that the Department of Land and Natural Resources has the staffing and expertise to provide for resource management to ensure that lands are not detrimentally managed by lessees. Your Committee further finds that authorizing the Department of Land and Natural Resources to extend and amend pasture leases will allow for greater resource protection and enhancement.

Your Committee has amended this measure by:

- (1) Deleting the provisions that:
 - (A) Gave priority to the Department of Land and Natural Resources to use land that was transferred for productive agricultural uses, subject to certain conditions; and
 - (B) Required a third-party advisory committee to be established before the disposition or transfer of any disputed lands;
- (2) Specifying that food production is one of the responsibilities to be promoted by the Department of Land and Natural Resources through pasture leases;
- (3) Specifying that the Board of Land and Natural Resources, rather than the Chairperson, has the authority to set the lease rent;
- (4) Requiring that an agricultural appraiser be procured to determine the lease rent for an amended lease;
- (5) Specifying that any person with a lease be compensated for the present value of all capital assets located on the property at the time of a lease withdrawal; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1014, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1014, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Har).

SCRep. 638 Consumer Protection & Commerce on H.B. No. 944

The purpose of this measure is to adopt certain provisions of the National Association of Insurance Commissioners' Producer Licensing Model Act, Public Adjuster Licensing Model Act, Reinsurance Intermediary Model Act, and Independent Adjuster Licensing Model Guidelines to provide consistency and promote efficiency in processing insurance licensing fees, applications, certificates, registrations, and renewals.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that this measure consolidates licenses, registrations, and fees issued by the Insurance Division of the Department of Commerce and Consumer Affairs under article 7 of the Insurance Code, relating to fees, taxes, and deposits, which will increase clarity and transparency. Your Committee further finds that this measure will facilitate the Insurance Division's transition to the electronic processing of insurance licensing fees, certificates, registrations, and renewals, which will make this process more efficient, accurate, and timely.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 944, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 944, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 639 Consumer Protection & Commerce on H.B. No. 947

The purpose of this measure is to:

- (1) Establish the Safe Home Program to provide matching and nonmatching grants for the installation of wind resistive devices to single-family, owner-

occupied, residential property owners, in certain circumstances;

- (2) Allocate a portion of the monies earned through interest from the Hurricane Reserve Trust Fund's assets to provide grants under the Safe Home Program; and
- (3) Create one temporary position within the Insurance Division of the Department of Commerce and Consumer Affairs to implement and administer the Safe Home Program.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Hawaii Green Infrastructure Authority; Hawaii State Energy Office; Hawaii Emergency Management Agency; Office of Climate Change, Sustainability, and Resiliency of the City and County of Honolulu; Hawaii Insurers Council; and one individual. Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that Hawaii is susceptible to property loss resulting from hurricanes, tropical storms, and strong winds. The best long-term solution to reducing potential damage is to strengthen residential homes through the installation of wind resistive devices. However, your Committee further finds that the costs associated with inspection, repair, and reinforcement of residences that would make homes more hurricane resistant may discourage homeowners from making the investment. Your Committee also finds that it is in the interests of public health, safety, and welfare to establish a program to provide grants to certain property owners for the installation of wind resistive devices, approved by the Insurance Commissioner, that will lessen the severity of property loss from strong winds.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 947, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 947, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 640 Consumer Protection & Commerce on H.B. No. 424

The purpose of this measure is to require all agencies of the State, when renting a vehicle on behalf of a state employee conducting official government business, to adopt a preference for renting electric vehicles or hybrid vehicles.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, one member of the County Council of the County of Maui, Our Revolution Hawaii, 350Hawaii.org, Climate Protectors Hawaii, Environmental Caucus of the Democratic Party of Hawai'i, Hawaiian Electric Company, Hawaii Electric Vehicle Association, Pele Lani Farm LLC, Enterprise Holdings, and numerous individuals. Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that electric and hybrid vehicles will play a pivotal role in Hawaii's clean energy future and in meeting the goals set for the State of reducing its greenhouse gas emissions. Your Committee further finds that adopting a policy preference for rental of electric or hybrid vehicles by state agencies, when renting a vehicle on behalf of an employee on official government business, leads by example and promotes the conversion from gas-powered vehicles to vehicles with lower carbon emissions.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 424, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Har, Kong, Morikawa). Noes, 1 (Onishi). Excused, none.

SCRep. 641 Consumer Protection & Commerce on H.B. No. 472

The purpose of this measure is to:

- (1) Exempt telehealth-related gifts from procurement requirements;
- (2) Authorize advanced practice registered nurses to use telehealth to assist a patient, including those advanced practice registered nurses who are not licensed in the State, under certain conditions; and
- (3) Statutorily provide for certain telehealth-related exemptions for licensed health professions consistent with the exemptions provided by gubernatorial emergency proclamations.

Your Committee received testimony in support of this measure from the Hawaii Substance Abuse Coalition, Hawaii Primary Care Association, and Hawai'i Psychological Association. Your Committee received comments on this measure from the Department of Public Safety, Department of Human Services, State Procurement Office, Board of Nursing, Board of Pharmacy, Board of Psychology, Hawaii Board of Veterinary Medicine, Hawaii Medical Board, Hawai'i Pacific Health, Kaiser Permanente Hawai'i, Queen's Health Systems, and Healthcare Association of Hawaii.

Your Committee finds that telehealth has taken on a more critical role in providing health care services during the coronavirus disease 2019 (COVID-19) pandemic, allowing patients to access health care providers without risking virus exposure through face-to-face interactions. Your Committee further finds, however, that not everyone has equal access to the broadband services that would allow them to take advantage of telehealth options.

Your Committee also finds that companies willing to gift resources to ensure broadband access are limited by the State's procurement laws. This measure will promote telehealth options statewide by exempting telehealth-related gifts from the State's procurement laws and codifying the practice of telehealth, including provisions relating to the use of telehealth by advanced practice registered nurses.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 472, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Kitagawa, Har, Onishi, Matsumoto). Noes, none. Excused, none.

SCRep. 642 Consumer Protection & Commerce on H.B. No. 474

The purpose of this measure is to preserve access to health care for Medicaid recipients by extending the Hospital Sustainability Program.

Your Committee received testimony in support of this measure from the Department of Human Services, Healthcare Association of Hawaii, Hawaii Primary Care Association, Kaiser Permanente Hawai'i, Hawai'i Pacific Health, and Queen's Health Systems.

Your Committee finds that the Hospital Sustainability Program, which was established in 2012, has served a critical role in strengthening the health care system in Hawaii. Your Committee believes that continuing the program will ensure that the State's uninsured or underinsured patients continue to receive care in a timely, effective manner.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 474, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Morikawa, Onishi, Tarnas).

SCRep. 643 Consumer Protection & Commerce on H.B. No. 389

The purpose of this measure is to require accredited and non-accredited post-secondary educational institutions that are for-profit entities authorized by the Hawaii Post-secondary Education Authorization Program to disclose in print and electronic media and signage that they are for-profit businesses.

Your Committee received testimony in support of this measure from the Hawaii Post-Secondary Education Authorization Program, Office of Consumer Protection of the Department of Commerce and Consumer Affairs, and one individual. Your Committee received testimony in opposition to this measure from the Institute of Clinical Acupuncture.

Your Committee finds that a May 2019 paper by the National Conference of State Legislatures indicates that whether enrolled in graduate or undergraduate program, students attending for-profit institutions tend to have worse outcomes and struggle more with student debt and default compared to their counterparts attending traditional nonprofit public and private postsecondary institutions. Your Committee also finds that the motives, priorities, and tactics of for-profit colleges and universities can often make for-profit institutions particularly susceptible to deceptive recruiting practices, poor quality control, and the conferment of meaningless degrees. The status of these institutions as for-profit entities should be displayed in their advertising and promotional material so students and potential students are informed and aware of the status of these schools when pursuing their higher education opportunities. Your Committee notes that while this measure requires for-profit institutions to publish their for-profit status on their printed materials, electronic media, and signage, it may be more appropriate to shift this information to the enrollment agreement instead.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 389, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Morikawa, Onishi, Tarnas).

SCRep. 644 Economic Development on H.B. No. 1170

The purpose of this bill is to effectuate its title.

H.B. No. 1170 was introduced as a short-form bill, which is sometimes referred to as a "vehicle" bill primarily used to introduce a bill containing only a general idea as to the purpose of the bill without specific details in the long form.

Your Committee has amended the bill to provide the substantive contents of the bill in long form so that a public hearing may be properly held on its substantive contents.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the action to report out H.B. No. 1170, as amended herein, and recommends that it be recommitted to your Committee on Economic Development, for the purpose of holding a public hearing thereon, in the form attached hereto as H.B. No. 1170, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 645 Finance on H.B. No. 1041

The purpose of this measure is to conform Hawaii income and estate and generation-skipping transfer tax laws to the Internal Revenue Code of 1986, as amended as of December 31, 2020.

Your Committee received testimony in support of this measure from the Department of Taxation.

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.B. No. 1041, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 646 Finance on H.B. No. 516

The purpose of this measure is to promote electronics stewardship and reduce electronic waste in the State by establishing the Electronic Device and Television Donation Act to require all persons receiving state funds and state financial assistance to donate unnecessary but functioning electronic devices to nonprofit organizations that will refurbish and distribute the devices to eligible persons in the State.

Your Committee received testimony in support of this measure from the Department of Education, Hawaiian Hope Org, and one individual. Your Committee received comments on this measure from the Department of Accounting and General Services and one individual.

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.B. No. 516, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 647 Finance on H.B. No. 817

The purpose of this measure is to:

- (1) Establish benchmarks that require each principal state department that purchases produce to ensure that a certain minimum percentage of the produce

purchased by that department is locally grown, starting with ten percent by January 1, 2025, and progressing to fifty percent by January 1, 2050; and

- (2) Require that each department report to the Legislature annually on their progress in meeting those benchmarks.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau, Malama Kaua'i, Kauai Food Hub, Blue Zones Project, Hawaii Cattlemen's Council, Hawaii Coffee Association, Hawai'i SEED, Hawai'i Alliance for Progressive Action, Hawai'i Public Health Institute, Hawaii Applesseed Center for Law and Economic Justice, Land Use Research Foundation, and numerous individuals. Your Committee received comments on this measure from the Department of Education, Department of Agriculture, and Uluono Initiative.

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.B. No. 817, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 648 Finance on H.B. No. 224

The purpose of this measure is to:

- (1) Change the administration of the State Health Planning and Development Special Fund and divert excess monies in the State Health Planning and Development Special Fund at the end of each fiscal year to the general fund;
- (2) Amend certain provisions for the certificate of need process; and
- (3) Appropriate funds for permanent positions within the State Health Planning and Development Agency.

Your Committee received testimony in support of this measure from the Kauai County Subarea Health Planning Council, Institute for Justice, Satellite Healthcare, AMR, and Elder Care 808. Your Committee received testimony in opposition to this measure from Liberty Dialysis-Hawaii/Fresenius Medical Care North America. Your Committee received comments on this measure from the Department of Health, State Health Planning and Development Agency, Hawaii Substance Abuse Coalition, Hawai'i Primary Care Association, and Grassroot Institute 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 is in accord with the intent and purpose of H.B. No. 224, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 649 Finance on H.B. No. 302

The purpose of this measure is to:

- (1) Authorize advanced practice registered nurses to certify whether a person is totally disabled for purposes of the income tax code;
- (2) Authorize advanced practice registered nurses with psychiatric specializations to make capacity determinations for the purposes of advance mental health care directives; and
- (3) Add advanced practice registered nurses with psychiatric specializations as primary providers in advance mental health care directives.

Your Committee received testimony in support of this measure from the Hawaii Substance Abuse Coalition and Hawai'i Psychological Association. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Taxation, Board of Nursing, Hawai'i State Center for Nursing, Hawaii-American Nurses Association, Hawai'i Association of Professional Nurses, The Queen's Health System, and three individuals.

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.B. No. 302, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (McDermott). Noes, none. Excused, none.

SCRep. 650 Finance on H.B. No. 306

The purpose of this measure is to:

- (1) Amend the definitions of "preceptor" and "volunteer-based supervised clinical training rotation" to improve accessibility for providers to receive income tax credits for acting as preceptors; and
- (2) Revise the membership of the Preceptor Credit Assurance Committee to include the Director of Health.

Your Committee received testimony in support of this measure from the Department of Taxation, University of Hawai'i System, Hawai'i Primary Care Association, The Queen's Health Systems, Hawaii State Rural Health Association, Hilo Medical Center Foundation, and four individuals. Your Committee received comments on this measure from the Hawai'i State Center for Nursing, Tax Foundation of Hawaii, Hawai'i Association of Professional Nurses, and two individuals.

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.B. No. 306, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 651 Finance on H.B. No. 311

The purpose of this measure is to:

- (1) Extend the Nursing Facility Sustainability Program to June 30, 2024;
- (2) Specify that the Nursing Facility Sustainability Fee shall not exceed 5.5 percent of the overall net patient service revenue;
- (3) Remove the per resident daily maximum fee of \$20 for each facility and permit certain facilities to pay a reduced daily fee, as compared to other participating facilities;

- (4) Allow nursing facilities sixty days to pay the Nursing Facility Sustainability Fee; and
- (5) Appropriate funds out of the Nursing Facility Sustainability Program Special Fund.

Your Committee received testimony in support of this measure from the Hawai'i Primary Care association, Healthcare Association of Hawaii, and The Queen's Health Systems. Your Committee received comments on this measure from the Department of Human Services.

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.B. No. 311, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 652 Finance on H.B. No. 1282

The purpose of this measure is to:

- (1) Commence the transfer of the Oahu Regional Health Care System in its entirety from the Hawaii Health Systems Corporation to the Department of Health, beginning with the transfer of the Oahu Regional Health Care System's budget into the Department of Health;
- (2) Enable the Oahu Regional Health Care System, Department of Health, Hawaii Health Systems Corporation, and other state agencies to implement the processes and transactions required to effectuate the completion of the transition;
- (3) Require the Department of Health to consult with the University of Hawaii regarding services provided at Leahi Hospital and Maluhia, and allow University of Hawaii students to rotate through those facilities for training purposes;
- (4) Authorize the Department of Health to pay rent to the University of Hawaii for the use of the Leahi Hospital property at a rate and on terms to be negotiated between the Department of Health and the University of Hawaii;
- (5) Clarify the rights, powers, and exemptions held by the Oahu Regional Health Care System during the transition period and the rights, powers, and exemptions held by the Inpatient Services Division of the Department of Health following completion of the transfer;
- (6) Appropriate monies from the Mental Health and Substance Abuse Special Fund to expand and operate programs at Leahi Hospital and Maluhia that are mutually advantageous to the Department of Health, the Oahu region, and the State; and
- (7) Authorize the issuance of general obligation bonds and appropriate the proceeds of the bonds for improvements at Leahi Hospital and Maluhia.

Your Committee received testimony in support of this measure from the Department of Health, University of Hawai'i System, Oahu Region of the Hawaii Health Systems Corporation, and The Queen's Health Systems. Your Committee received comments on this measure from the Department of the Attorney General and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

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.B. No. 1282, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 653 Finance on H.B. No. 223

The purpose of this measure is to establish continuing education requirements for massage therapists, beginning with the July 1, 2022, biennium renewal period.

Your Committee received testimony in support of this measure from the American Massage Therapy Association – Hawaii Chapter. Your Committee received comments on this measure from the Board of Massage Therapy and one individual.

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.B. No. 223, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 654 Finance on H.B. No. 941

The purpose of this measure is to allow the Public Utilities Commission to use electronic filing processes and similar practices as an alternative to hard copy, rather than requiring both.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Public Utilities Commission, and Hawaiian Electric Company, Inc.

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.B. No. 941, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 655 Finance on H.B. No. 943

The purpose of this measure is to establish a different regulatory framework for nondepository trust companies by:

- (1) Clarifying the powers and duties of nondepository trust companies;
- (2) Changing the yearly assessments on nondepository trust companies by basing the calculation on total assets under management; and
- (3) Establishing a paid-in capital and surplus requirement in order to charter nondepository trust companies in the State.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

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.B. No. 943, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 656 Finance on H.B. No. 1004

The purpose of this measure is to:

- (1) Allow the Department of Labor and Industrial Relations to prohibit the operation of pressure retaining items, amusement rides, and elevators and kindred equipment if fees and fines are not timely paid; and
- (2) Require the Director of Labor and Industrial Relations to establish the boiler and elevator fee schedule by rule, rather than setting the fees in statute.

Your Committee received comments on this measure from the Department of Labor and Industrial Relations.

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.B. No. 1004, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 657 Finance on H.B. No. 1192

The purpose of this measure is to transition the market of payday loans in the State to installment loans over a two-year period. Specifically, this measure:

- (1) Establishes a framework for providing new viable installment loan transactions;
- (2) Implements certain consumer protection measures for customers who enter into deferred deposit transactions with check cashers, including:
 - (A) Requiring a check casher to offer a voluntary payment plan for deferred deposit transactions; and
 - (B) Requiring check cashers to take reasonable measures to ensure that customers are limited to one deferred deposit transaction at a time;
- (3) On July 1, 2023, repeals the statutory authorization for deferred deposit transactions in the State;
- (4) Requires the Division of Financial Institutions of the Department of Commerce and Consumer Affairs to report on the implementation of this measure and an update on the progress of transitioning check cashers that enter into deferred deposit transactions to installment lenders; and
- (5) Authorizes the Division of Financial Institutions to establish and hire two full-time equivalent (2.0 FTE) permanent examiners to carry out the purposes of the installment loan program, funded via an increase to the ceiling of the Compliance Resolution Fund.

Your Committee received testimony in support of this measure from the Dollar Financial Group. Your Committee received testimony in opposition to this measure by Maui Loan Inc. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

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.B. No. 1192, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 658 Finance on H.B. No. 47

The purpose of this measure is to relieve homeowner-developers from the burden of filing annual reports and paying the fee for developments consisting of no more than two units, in which one unit is the residence of the developer and the initial sale of the other unit has been completed.

Your Committee received testimony in support of this measure by Associa, Community Associations Institute – Hawaii Legislative Action Committee, and two individuals. Your Committee received testimony in opposition to this measure from the Real Estate Commission.

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.B. No. 47, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (Perruso). Noes, none. Excused, none.

SCRep. 659 Finance on H.B. No. 767

The purpose of this measure is to support the Hawaii Farm to School Program by moving the program from the Department of Agriculture to the Department of Education and establishing a programmatic goal that at least thirty percent of food served in public schools be locally sourced by 2030.

Your Committee received testimony in support of this measure from Malama Kaua'i; Kauai Food Hub; Local Food Coalition; Hana Community Association; Hawai'i Primary Care Association; Hawaii Cattlemen's Council; Hawai'i Farm Bureau; Environmental Caucus of the Democratic Party of Hawai'i; Hawaii Meats, LLC; Food+ Policy Internship; Hawai'i SEED; Hawai'i Alliance for Progressive Action; Hawai'i Appleseed Center for Law and Economic Justice; and numerous individuals. Your Committee received comments on this measure from the Department of Education, Department of Agriculture, Land Use Research Foundation, Ulupono Initiative, Blue Zones Project, Hawai'i Public Health Institute, and Farm to Keiki.

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.B. No. 767, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (B. Kobayashi). Noes, none. Excused, none.

SCRep. 660 Finance on H.B. No. 871

The purpose of this measure is to support and promote agriculture in the State on lands under the jurisdiction of the Department of Agriculture by establishing a new agricultural enterprise program. Specifically, this measure clarifies that ancillary and other related activities supporting agriculture are encouraged on all Department of Agriculture lands, which will give the Department greater flexibility on agricultural leases.

Your Committee received testimony in support of this measure from the University of Hawai'i System; Local Food Coalition; East Oahu County Farm Bureau; Land Use Research Foundation of Hawaii; Larry Jeffs Farms, LLC; Ulupono Initiative; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; Ponoholo Ranch Limited; Ahualoa Family Farms; Hawaii Crop Improvement Association; Kauai Nursery & Landscaping Inc.; Hawaii Agriculture Research Center; Hawaii Aquaculture & Aquaponics Association; Ulupalakua Ranch; Kalera, Inc.; and eight individuals. Your Committee received comments on this

measure from the Department of Agriculture.

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.B. No. 871, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 661 Finance on H.B. No. 627

The purpose of this measure is to authorize the issuance of special license plates to commemorate the Polynesian Voyaging Society.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Department of Customer Services of the City and County of Honolulu.

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.B. No. 627, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 662 Finance on H.B. No. 760

The purpose of this measure is to further the efforts of the State Foundation on Culture and the Arts by allowing the Works of Art Special Fund to be used for the support and promotion of performing arts in the State.

Your Committee received comments on this measure from the Department of Budget and Finance, State Foundation on Culture and the Arts, PA'I Foundation, and one individual.

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.B. No. 760, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, 1 (Perruso). Excused, none.

SCRep. 663 Finance on H.B. No. 777

The purpose of this measure is to authorize the funding of the State of Hawaii Museum of Natural and Cultural History and the State of Hawaii Museum of Monarchy as a permissible use of the Works of Art Special Fund for fiscal year 2021-2022.

Your Committee received testimony in support of this measure from the Volcano Art Center. Your Committee received testimony in opposition to this measure from the Hawai'i Arts Alliance, Kahilu Theatre, East Hawaii Cultural Center, Donkey Mill Art Center, and fourteen individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Budget and Finance, State Foundation on Culture and the Arts, The Friends of Iolani Palace, and 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 is in accord with the intent and purpose of H.B. No. 777, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, 1 (Perruso). Excused, none.

SCRep. 664 Finance on H.B. No. 325

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary and other cost adjustments, for the members of collective bargaining unit (1) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; Hawaii Health Systems Corporation; University of Hawai'i System; and United Public Workers, AFSCME Local 646, AFL-CIO.

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.B. No. 325, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 665 Finance on H.B. No. 712

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary adjustments and Hawaii employer-union health benefits trust fund costs, for the members of collective bargaining unit (2) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; Hawaii Health Systems Corporation; University of Hawai'i System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

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.B. No. 712, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 666 Finance on H.B. No. 713

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary adjustments and Hawaii employer-union health benefits trust fund costs, for the members of collective bargaining unit (3) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; Hawaii Health Systems Corporation; University of Hawai'i System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

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.B. No. 713, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 667 Finance on H.B. No. 714

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary adjustments and Hawaii employer-union health benefits trust fund costs, for the members of collective bargaining unit (4) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; Hawaii Health Systems Corporation; University of Hawai'i System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

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.B. No. 714, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 668 Finance on H.B. No. 919

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary and other cost adjustments, for the members of collective bargaining unit (5) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Hawaii State Teachers Association.

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.B. No. 919, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 669 Finance on H.B. No. 715

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary adjustments and Hawaii employer-union health benefits trust fund costs, for the members of collective bargaining unit (6) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

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.B. No. 715, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 670 Finance on H.B. No. 921

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary and other cost adjustments, for the members of collective bargaining unit (7) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance, University of Hawai'i System, and University of Hawaii Professional Assembly.

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.B. No. 921, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 671 Finance on H.B. No. 716

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary adjustments and Hawaii employer-union health benefits trust fund costs, for the members of collective bargaining unit (8) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

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.B. No. 716, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 672 Finance on H.B. No. 1125

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary adjustments and Hawaii employer-union health benefits trust fund costs, for the members of collective bargaining unit (9) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; Hawaii Health Systems Corporation; University of Hawai'i System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

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.B. No. 1125, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 673 Finance on H.B. No. 326

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

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; Hawaii Health Systems Corporation; and United Public Workers, AFSCME Local 646, AFL-CIO.

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.B. No. 326, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 674 Finance on H.B. No. 925

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary and other cost adjustments, for the members of collective bargaining unit (11) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Hawaii Fire Fighters Association, Local 1463, AFL-CIO.

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.B. No. 925, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 675 Finance on H.B. No. 1126

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary adjustments and Hawaii employer-union health benefits trust fund costs, for the members of collective bargaining unit (13) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; Hawaii Health Systems Corporation; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

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.B. No. 1126, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 676 Finance on H.B. No. 1127

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary adjustments and Hawaii employer-union health benefits trust fund costs, for the members of collective bargaining unit (14) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

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.B. No. 1127, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 677 Finance on H.B. No. 465

The purpose of this measure is to:

- (1) Clarify that the representative of labor on the Hawaii Labor Relations Board be a person selected by a majority of the exclusive representatives of the collective bargaining units; and
- (2) Establish procedures for the removal of the representative of labor from the Hawaii Labor Relations Board.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii State Teachers Association; Hawaii Fire Fighters Association, Local 1463, IAFF, AFL-CIO; United Public Workers, AFSCME Local 646, AFL-CIO; and one individual. Your Committee received testimony in opposition to this measure from the Office of Collective Bargaining. Your Committee received comments on this measure from the Hawai'i Labor Relations Board.

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.B. No. 465, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 678 Finance on H.B. No. 468

The purpose of this measure is to remove Medicare Part B reimbursement as a benefit for spouses of employee-beneficiaries hired on or after July 1, 2021.

Your Committee received testimony in support of this measure from the Department of Budget and Finance. Your Committee received testimony in opposition to this measure from the Hawaii State Teachers Association. Your Committee received comments on this measure from the Hawaii Employer-Union Health Benefits Trust Fund.

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.B. No. 468, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13; Ayes with Reservations (Tam). Noes, 1 (Perruso). Excused, 1 (Eli).

SCRep. 679 Finance on H.B. No. 670

The purpose of this measure is to authorize the forfeiture of certain Employees' Retirement System benefits, pursuant to court order, for state or county employees and designated beneficiaries who are convicted of an employment-related felony.

Your Committee received testimony in support of this measure from the Hawai'i State Ethics Commission, Common Cause Hawaii, and nine individuals. Your Committee received comments on this measure from the Board of Trustees of the Employees' Retirement System.

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.B. No. 670, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 680 Finance on H.B. No. 514

The purpose of this measure is to:

- (1) Establish an income tax credit for employers who create on-site group child care centers; and
- (2) Establish and appropriate funds for an on-site group child care center coordinator position to assist with licensure and accreditation requirements, work with providers, and ensure appropriate facility design of on-site group child care centers established by employers in the State.

Your Committee received testimony in support of this measure from the Hawaii Children's Action Network Speaks!, Early Childhood Action Strategy, and one individual. Your Committee received comments on this measure from the Department of Human Services, Department of Taxation, Executive Office on Early Learning, Early Learning Board, Tax Foundation of Hawaii, and Maui Chamber of Commerce.

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.B. No. 514, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 681 Finance on H.B. No. 515

The purpose of this measure is to require the Auditor to conduct an audit of the School Food Services Branch of the Department of Education to determine how much local produce is being purchased and served to students in the Department's school cafeterias.

Your Committee received testimony in support of this measure from the Hawaii Farm Bureau and three individuals. Your Committee received comments on this measure from the Department of Education and Ulupono Initiative.

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.B. No. 515, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 682 Finance on H.B. No. 525

The purpose of this measure is to authorize the Department of Education to construct teacher housing for teachers on public school campuses; provided that any housing units constructed or acquired after June 30, 2021, be rented at an affordable cost to new teachers or teachers teaching in a rural or hard-to-staff location, with priority given to teachers employed full-time at the school where the housing unit is located.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii State Teachers Association, Hawai'i Association of REALTORS, and one individual. Your Committee received comments on this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

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.B. No. 525, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 683 Finance on H.B. No. 1220

The purpose of this measure is to:

- (1) Require members of the Charter School Commission to collectively possess strong experience and expertise in various fields;
- (2) Allow the authorizer's staff to provide technical support up until the completed charter application is submitted;
- (3) Clarify charter application notice requirements; and
- (4) Clarify authorizer compliance requirements in cases of an appeal.

Your Committee received testimony in support of this measure from three individuals. Your Committee received comments on this measure from the Board of Education, State Public Charter School Commission, and Office of Hawaiian Affairs.

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.B. No. 1220, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (Perruso). Noes, none. Excused, none.

SCRep. 684 Finance on H.B. No. 1360

The purpose of this measure is to:

- (1) Establish an Early Childhood Educator Stipend Program to be administered by the Executive Office on Early Learning to address the shortage of qualified early childhood educators in Hawaii;
- (2) Require stipend fund repayments for the Early Childhood Educator Stipend Program to be deposited into the Early Learning Special Fund; and
- (3) Authorize the Executive Office on Early Learning to use a collection agency to secure a commission owed from a debtor.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning, State Public Charter School Commission, Early Learning Board, Hawaii Children's Action Network Speaks!, Special Education Advisory Council, Kaulanakilohana, Early Childhood Action Strategy, and Parents And Children Together. Your Committee received comments on this measure from the Department of Human Services.

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.B. No. 1360, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 685 Finance on H.B. No. 513

The purpose of this measure is to repeal the State Capitol Management Committee.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services and one individual.

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.B. No. 513 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 686 Finance on H.B. No. 526

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

- (1) Require a bidder's past performance on state contracts of similar scope to be considered for contract awards and responsibility determinations;
- (2) Require a responsible bidder or offeror to be determined based upon the responsibility determination standards adopted by the Procurement Policy Board;
- (3) Prohibit the evaluation of criteria not set forth in the request for proposals under the competitive sealed proposal process; and
- (4) Appropriate funds for the development and implementation of guidance and related implementation training for several tools relating to a past performance guide and past performance database, to be expended by the State Procurement Office.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received testimony in opposition to this measure from the Department of Design and Construction of the City and County of Honolulu, Department of Budget and Fiscal Services of the City and County of Honolulu, General Contractors Association of Hawaii, and Building Industry Association of Hawaii. Your Committee received comments on this measure from the Department of Accounting and General Services and State Procurement Office.

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.B. No. 526, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 687 Finance on H.B. No. 1064

The purpose of this measure is to allow the University of Hawaii to continue its contribution to research commercialization and economic development by repealing the sunset provision in Act 38, Session Laws of Hawaii 2017.

Your Committee received testimony in support of this measure from the University of Hawai'i System.

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.B. No. 1064, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 688 Finance on H.B. No. 1065

The purpose of this measure is to make the Innovation and Commercialization Initiative Program permanent by repealing the sunset provision in Act 39, Session Laws of Hawaii 2017.

Your Committee received testimony in support of this measure from the University of Hawai'i System.

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.B. No. 1065, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 689 Finance on H.B. No. 77

The purpose of this measure is to exempt the sale of the leased fee interest in certain affordable leasehold developments by the Hawaii Housing Finance and Development Corporation from legislative approval.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

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.B. No. 77, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (Perruso). Noes, none. Excused, 1 (Eli).

SCRep. 690 Finance on H.B. No. 79

The purpose of this measure is to support affordable housing in Hawaii by:

- (1) Establishing an Affordable Homeownership Revolving Fund within the Hawaii Housing Finance and Development Corporation to provide loans to nonprofit community development financial institutions and nonprofit housing development organizations for the development of affordable homeownership housing projects;
- (2) Authorizing the transfer of taxable general obligation bond proceeds and accrued interest from the Rental Housing Revolving Fund to the Affordable Homeownership Revolving Fund; and
- (3) Appropriating funds out of the Affordable Homeownership Revolving Fund.

Your Committee received testimony in support of this measure from Hope Services Hawaii; Habitat for Humanity Hawaii Island, Inc.; Maui Chamber of Commerce; and seven individuals. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

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.B. No. 79, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 691 Finance on H.B. No. 606

The purpose of this measure is to authorize the issuance of general obligation bonds and appropriate funds for fiscal year 2021-2022 to be deposited into the Dwelling Unit Revolving Fund and Rental Housing Revolving Fund.

Your Committee received testimony in support of this measure from AARP, AlohaCare, EAH, Partners in Care, Catholic Charities Hawai'i, Hawai'i Association of REALTORS, Hawaiian Humane Society, Hawai'i Health & Harm Reduction Center, and three individuals. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

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.B. No. 606, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 692 Finance on H.B. No. 907

The purpose of this measure is to repeal the Hawaii Housing Finance and Development Corporation's Downpayment Loan Assistance Program and Homebuyers' Club Program.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Hawaii Housing Finance and Development Corporation.

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.B. No. 907, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 693 Finance on H.B. No. 1311

The purpose of this measure is to address the shortage of affordable rental housing on Maui and maintain the viability of the Keawe Street affordable housing project by:

- (1) Removing the 2022 deadline for completion of the Leialii affordable housing project; and
- (2) Allowing the Hawaii Housing Finance and Development Corporation to address historic preservation laws when funding is appropriated for each portion of the Leialii affordable housing project.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and Office of the Mayor of the County of Maui. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs. Your Committee received comments on this measure from the Department of Land and Natural Resources.

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.B. No. 1311, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (Perruso). Noes, none. Excused, 1 (Eli).

SCRep. 694 Finance on H.B. No. 313

The purpose of this measure is to:

- (1) Repeal the requirement that no less than fifty percent of the assessment fees deposited into the John A. Burns School of Medicine Special Fund be used for purposes identified by the Hawaii Medical Education Council;
- (2) Repeal the monetary cap of expenditures from the John A. Burns School of Medicine Special Fund; and
- (3) Authorize the John A. Burns School of Medicine Special Fund to award scholarships for qualifying medical students and provide loan repayment to physicians who commit to working in medically underserved areas of the State as part of the Health Rural Health Care Provider Loan Repayment Program.

Your Committee received testimony in support of this measure from Hawai'i Pacific Health, Hawai'i Primary Care Association, The Queen's Health Systems, AlohaCare, and Friends of the Medical School. Your Committee received comments on this measure from the Department of Labor and Industrial Relations, University of Hawai'i System, and Hawaii Medical Board.

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.B. No. 313, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, McDermott).

SCRep. 695 Finance on H.B. No. 471

The purpose of this measure is to make permanent the regulation of behavior analysts under chapter 465D, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Department of Health, Hawaii State Teachers Association, Together For Our Keiki, Hawaii Disability Rights Center, and numerous individuals. Your Committee received comments on this measure from the Department of Education, Hawai'i Association for Behavior Analysis, and one individual.

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.B. No. 471, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, McDermott).

SCRep. 696 Finance on H.B. No. 477

The purpose of this measure is to make clarifying amendments to the medical cannabis dispensary law. Specifically, this measure:

- (1) Clarifies that as long as federal law prohibits the transportation of medical cannabis over a body of water, dispensary-to-dispensary sales may only occur between dispensaries located on the same island;
- (2) Moves up the implementation date for restrictions on how qualifying patients may obtain medical cannabis and manufactured cannabis products and restrictions on primary caregiver cultivation to December 31, 2021;
- (3) Authorizes the Department of Health or law enforcement, upon the request of the Department, to conduct administrative inspections of registered grow sites to ensure compliance with cannabis plant limits;
- (4) Amends the allowable number of production centers and retail dispensing locations per dispensary license;
- (5) Authorizes the Department of Health to allow a licensed dispensary to purchase up to three thousand grams of medical cannabis or manufactured cannabis products from another licensed dispensary located on the same island to ensure ongoing qualifying patient access;
- (6) Clarifies that the transport of cannabis to another county or island for the sole purposes of laboratory testing is permissible only if no certified laboratory is located in the county or on the island where the dispensary is located; and
- (7) Requires the Department of Health to establish manufacturing and product stability standards, rather than sanitation standards.

Your Committee received testimony in support of this measure from Aloha Green Holdings Inc.; and two individuals. Your Committee received testimony in opposition to this measure from the Drug Policy Forum of Hawaii, Hawaii Patients Union, and seven individuals. Your Committee received comments on this measure from the Department of Health, Department of Public Safety, Akamai Cannabis Clinic, Hawaii Cannabis Industry Association, Green Aloha Ltd, Big Island Grown Dispensaries, and four individuals.

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.B. No. 477, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13; Ayes with Reservations (B. Kobayashi). Noes, none. Excused, 2 (Eli, McDermott).

SCRep. 697 Finance on H.B. No. 706

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist Wahiawa General Hospital with its long-term debt restructuring.

Your Committee received testimony in support of this measure from the Wahiawā-Whitmore Village Neighborhood Board No. 26, Wahiawa General Hospital, and ILWU Local 142. Your Committee received comments on this measure from the Department of Budget and Finance.

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.B. No. 706, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 698 Finance on H.B. No. 722

The purpose of this measure is to require:

- (1) The Department of the Attorney General to address the needs of victims of human trafficking through the development of a statewide human trafficking program;
- (2) The Department of the Attorney General to submit reports to the Legislature on the State's efforts to address human trafficking and the commercial sexual exploitation of children; and
- (3) The Children's Justice Program to coordinate the investigation and case management of child trafficking cases, including cases involving the sexual exploitation of children.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Human Services, Department of Transportation, Department of Health, Honolulu Police Department, The Sex Abuse Treatment Center, Parents and Children Together, and three individuals. Your Committee received comments on this measure from the Judiciary and Imua Alliance.

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.B. No. 722, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, McDermott).

SCRep. 699 Finance on H.B. No. 826

The purpose of this measure is to:

- (1) Expand the purposes for which monies in the Tobacco Enforcement Special Fund may be used, to include all functions of the Department of the Attorney General;
- (2) Expand the scope of the Electronic Smoking Device Retailer Registration Unit to include enforcement of compliance of electronic smoking devices with the federal Food, Drug, and Cosmetic Act;
- (3) Establish the Electronic Smoking Device Retailer Registration and Enforcement Unit Special Fund;
- (4) Amend the fine amounts for persons under twenty-one years of age who purchase or possess tobacco products or electronic smoking devices; and
- (5) Appropriate funds to the Department of the Attorney General for positions and equipment needed to carry out the purposes of this measure.

Your Committee received testimony in opposition to this measure from the Department of Health, Hawaii State Teachers Association, American Heart Association, American Cancer Society Cancer Action Network, Retail Merchants of Hawaii, Hawaii Smokers Alliance, Coalition for a Tobacco-Free Hawai'i, Smoke-Free Alternatives Trade Association, Namaste Vapors, AlohaCare, VOLCANO Vape Shops, Blue Zones Project, and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of the Attorney General, and one individual.

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.B. No. 826, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Sayama, Tam). Noes, 3 (B. Kobayashi, Marten, Perruso). Excused, 2 (Eli, McDermott).

SCRep. 700 Finance on H.B. No. 869

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist Luana Kai-A Life Plan Community in the development and operation of a continuing care retirement community to provide health care services to the general public.

Your Committee received testimony in support of this measure from Luana Kai-A Life Plan Community. Your Committee received comments on this measure from the Department of Budget and Finance.

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.B. No. 869, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, McDermott).

SCRep. 701 Finance on H.B. No. 1281

The purpose of this measure is to:

- (1) Establish a four-year transfer of certain duties, functions, and powers relating to City and County of Honolulu emergency medical services from the Department of Health to the City and County of Honolulu;
- (2) Begin the transition with the training and billing for emergency services on July 1, 2021;
- (3) Phase out funding for emergency medical services in the City and County of Honolulu by June 30, 2025; and
- (4) Appropriate funds.

Your Committee received testimony in support of this measure from the Hawaii Medical Service Association. Your Committee received comments on this measure from the Department of the Attorney General, Department of Health, Office of the Mayor of the City and County of Honolulu, and American Board of Physician Specialties.

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.B. No. 1281, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, McDermott).

SCRep. 702 Finance on H.B. No. 136

The purpose of this measure is to apply liquor licensing provisions relating to the transfer of licenses and the denial of licenses to limited liability companies.

Your Committee received testimony in support of this measure from the City and County of Honolulu Liquor Commission and one individual.

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.B. No. 136, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, McDermott).

SCRep. 703 Finance on H.B. No. 137

The purpose of this measure is to:

- (1) Remove the authority of the county liquor commissions to enforce the liquor tax law and require violations of the liquor tax law to be referred to the Director of Taxation for investigation;

- (2) Repeal the discretionary power of the county liquor commissions to deny a license to any person the county liquor commissions find is not fit and proper to hold a license;
- (3) Require applications for liquor licenses to be notarized;
- (4) Provide the administrators of the county liquor commissions discretion over whether to refer applications for investigation; and
- (5) Repeal the requirement that investigative reports to the county liquor commissions include whether an applicant is a fit and proper person for licensure and any and all matters that are relevant to the application or license in the judgment of the investigator.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Department of Taxation, Liquor Commission of the City and County of Honolulu, and 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 is in accord with the intent and purpose of H.B. No. 137, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, McDermott).

SCRep. 704 Finance on H.B. No. 264

The purpose of this measure is to make permanent the motor vehicle insurance requirements for transportation network companies and transportation network company drivers by repealing the sunset provision of Act 236, Session Laws of Hawaii 2016.

Your Committee received testimony in support of this measure from the Hawaii Insurers Council, National Association of Mutual Insurance Companies, American Property Casualty Insurance Association, and Hawaii Transportation Association.

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.B. No. 264, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, McDermott).

SCRep. 705 Finance on H.B. No. 445

The purpose of this measure is to amend the exclusion amount of Hawaii's estate tax to an unspecified amount.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association; Kauai Women's Caucus; Hawaii Children's Action Network Speaks!; Hawaii Budget & Policy Center; Young Progressives Demanding Action; Democratic Party of Hawaii Education Caucus; Imua Alliance; Our Revolution Hawaii; Hawaii Health & Harm Reduction Center; and seven individuals. Your Committee received testimony in opposition to this measure from seven individuals. Your Committee received comments on this measure from the Department of Taxation, PHOCUSED, Tax Foundation of Hawaii, Hawaii Association of REALTORS, and Grassroot Institute 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 is in accord with the intent and purpose of H.B. No. 445, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 3 (Branco, Holt, Ilagan). Excused, 2 (Eli, McDermott).

SCRep. 706 Finance on H.B. No. 508

The purpose of this measure is to increase compliance with the Fireworks Control Law by increasing the fines for violations of permissible uses of fireworks.

Your Committee received testimony in support of this measure from the State Fire Council, Hawaiian Humane Society, and five individuals. Your Committee received comments on this measure from the Waikiki Neighborhood Board.

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.B. No. 508, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, 1 (McDermott). Excused, none.

SCRep. 707 Finance on H.B. No. 1131

The purpose of this measure is to require the State Building Code Council to:

- (1) Consider the financial impact of building codes and standards on the cost of single-family and multi-family homes built in the State, including the impact of a code or standard on amortized utility costs; and
- (2) Include a financial impact assessment on each code and standard adopted by the State Building Code Council in the annual written report submitted to the Governor.

Your Committee received testimony in support of this measure from the Department of Planning and Permitting of the City and County of Honolulu and Building Industry Association of Hawaii. Your Committee received testimony in opposition to this measure from the State Fire Council. Your Committee received comments on this measure from the Plumbers and Fitters UA, Local 675.

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.B. No. 1131, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13; Ayes with Reservations (Marten, Perruso). Noes, none. Excused, 2 (Eli, McDermott).

SCRep. 708 Finance on H.B. No. 1245

The purpose of this measure is to:

- (1) Establish an expeditious adjudication system for the processing of fireworks infractions; and
- (2) Appropriate funds for the Judiciary to update its information management system to implement the adjudications process proposed by this measure.

Your Committee received testimony in support of this measure from the State Fire Council, Hawaiian Humane Society, and three individuals.

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.B. No. 1245, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, 1 (McDermott). Excused, none.

SCRep. 709 Finance on H.B. No. 243

The purpose of this measure is to require the executive branch departments to:

- (1) Identify existing and planned facilities that are vulnerable to sea level rise, flooding impacts, and natural hazards;
- (2) Assess a range of options for mitigation impacts of sea level rise to existing and planned facilities;
- (3) Establish staff level points of contact to improve interagency coordination for sea level rise adaptation, flooding, and resilience; and
- (4) Submit annual reports to the Governor, Legislature, and Hawaii Climate Change Mitigation and Adaptation Commission regarding vulnerability and adaptation assessments for state facilities and progress in implementing sea level rise and disaster resiliency considerations.

Your Committee received testimony in support of this measure from the Hawaii Climate Change Mitigation and Adaptation Commission, Sierra Club of Hawai'i, Keiko Conservation, Environmental Caucus of the Democratic Party of Hawai'i, Hawai'i Reef and Ocean Coalition, and two individuals. Your Committee received comments on this measure from the Department of Accounting and General Services and Office of Planning.

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.B. No. 243, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 710 Finance on H.B. No. 244

The purpose of this measure is to clarify the data requirements for land recordation by the Bureau of Conveyances, on land other than fee simple time share interests deregistered by the Land Court, to include a plan of the parcel or parcels sought to be deregistered that includes a map and description prepared by a licensed professional surveyor.

Your Committee received testimony in support of this measure from three individuals.

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.B. No. 244, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 711 Finance on H.B. No. 467

The purpose of this measure is to redevelop certain areas or regions of public lands by:

- (1) Establishing a framework to identify and redevelop areas of public lands that are classified as commercial, industrial, hotel, apartment, motel, or resort parcels in need of revitalization;
- (2) Creating a nine-member planning committee for each redevelopment district to provide policy direction and prepare a redevelopment plan;
- (3) Establishing a revolving fund for each redevelopment district for deposit of fifty percent of the revenues, income, and receipts from the public lands in the redevelopment district, legislative appropriations, gifts, grants, and other funds;
- (4) Creating the Waiakea Peninsula Redevelopment District on the island of Hawaii, Waiakea Peninsula Redevelopment District Planning Committee, and Waiakea Peninsula Redevelopment District Revolving Fund;
- (5) Authorizing the Board of Land and Natural Resources to approve rental reductions or waivers for leases that require substantial demolition costs or infrastructure improvement costs in order for the lessee to utilize the premises;
- (6) Authorizing a local redevelopment agency to negotiate a development agreement with a developer for commercial, business, hotel, or resort uses on public lands within a redevelopment area;
- (7) Providing that the general excise tax laws do not apply to amounts received from the construction of work or improvements of a redevelopment project; and
- (8) Amending the definition of "use" under use tax laws to exclude the use of material, parts, or tools imported or purchased by a person licensed under general excise tax laws that are used for the construction of work or improvements of a redevelopment project.

Your Committee received testimony in support of this measure from the Hilo Fish Company, Kanoalehua Industrial Area Association, and three individuals. Your Committee received testimony in opposition to this measure from Kūpuna for Mo'opuna and League of Women Voters of Hawaii. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Department of Land and Natural Resources, and Office of Hawaiian Affairs.

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.B. No. 467, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, 3 (Eli, Perruso, Wildberger). Excused, none.

SCRep. 712 Finance on H.B. No. 469

The purpose of this measure is to establish a mechanism for the transfer of certain non-agricultural park lands from the Department of Land and Natural Resources to the Department of Agriculture pursuant to chapter 166E, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; Ponoholo Ranch Limited; Maui Cattlemen's Association; Kealia Ranch; Larry Jefts Farms, LLC; Ulupalakua Ranch; Hawaii Agriculture Research Center; Local Food Coalition; Hawaii Meats LLC; Hawaii Crop Improvement Association; Rocker G Livestock; GreenWheel Food Hub; Ag Matters, LLC; and ten individuals. Your Committee received testimony in opposition to this measure from Fantastic Gardens Hawaii, Inc.; and Sierra Club of Hawai'i. Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Agriculture, Ulupono Initiative, Hawaii Aquaculture & Aquaponics Association, KK Ranch, and one individual.

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.B. No. 469, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, 2 (Perruso, Wildberger). Excused, none.

SCRep. 713 Finance on H.B. No. 498

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

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Reef and Ocean Coalition, and Legacy Reef Foundation.

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.B. No. 498, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 714 Finance on H.B. No. 499

The purpose of this measure is to authorize the Board of Land and Natural Resources to extend commercial, industrial, resort, mixed-use, or government leases, other than those to which the University of Hawaii is a party, that have not been sold or assigned within the last ten years, for lessees who commit to making substantial improvements to the existing improvements.

Your Committee received testimony in support of this measure from Prince Kuhio Plaza, Pacific Resource Partnership, and McCully Works. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs, Kupuna for the Mo'opuna, Flores-Case 'Ohana, Ka Lahui Hawai'i Komike Kalai'aina, Malu 'Aina, Na Kupuna Moku O Keawe, and numerous individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

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.B. No. 499, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Marten, Wildberger). Noes, 3 (Eli, Perruso, Tam). Excused, none.

SCRep. 715 Finance on H.B. No. 774

The purpose of this measure is to:

- (1) Establish the Pulehunui Community Development Authority as an autonomous community development authority under the Hawaii Community Development Authority for the purposes of developing the Pulehunui Community Development District; and
- (2) Authorize the Hawaii Community Development Authority to obtain various forms of federal funding for construction, maintenance, and development projects in the Pulehunui Community Development District.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, Department of Land and Natural Resources, and Hawaii Community Development Authority. Your Committee received comments on this measure from the Department of Accounting and General Services and Department of Planning of the County of Maui.

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.B. No. 774, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 716 Finance on H.B. No. 834

The purpose of this measure is to require the Department of Land and Natural Resources, in collaboration with the County of Hawaii, to conduct site surveys to identify the most suitable locations for black cinder cone quarries on the island of Hawaii.

Your Committee received testimony in support of this measure from the University of Hawai'i System, County of Hawai'i, Hawaii Floriculture and Nursery Association, Orchid Growers of Hawai'i, Hawaii Tropical Flower Council, Hawaii Export Nursery Association, and one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources.

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.B. No. 834, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 717 Finance on H.B. No. 1016

The purpose of this measure is to:

- (1) Clarify that a valid commercial marine vessel license satisfies the commercial marine license requirement for all persons taking marine life for commercial purposes aboard a licensed vessel; and
- (2) Clarify that any person providing fishing charter services must obtain a commercial marine vessel license.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Waialua Boat Club; United Fishing Agency; Vessel Management Associates, Inc.; HFACT; POP Fishing & Marine; Hilo Fish Company; Kona Fish Company; Tropic Fish Hawaii; Tropic Fish Maui; Tropic Fish Kauai; and eight individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Legacy Reef Foundation and one individual.

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.B. No. 1016, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 718 Finance on H.B. No. 1280

The purpose of this measure is to transfer operational authority over the Makai Research Pier located at the southeast corner of Oahu, from the University of Hawaii to the Natural Energy Laboratory of Hawaii Authority, and authorize general obligation bonds and appropriate funds to repair and upgrade Makai Research Pier.

Your Committee received testimony in support of this measure from the University of Hawai'i System and Makai Ocean Engineering, Inc. Your Committee received comments on this measure from the Department of Land and Natural Resources and Natural Energy Laboratory of Hawaii Authority.

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.B. No. 1280, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 719 Finance on H.B. No. 133

The purpose of this measure is to increase the capital gains tax threshold from 7.25 percent to nine percent.

Your Committee received testimony in support of this measure from the Americans for Democratic Action, League of Women Voters of Hawaii, Kauai Women's Caucus, Hawaii State Teachers Association, Hawai'i Children's Action Network Speaks!, Hawai'i Budget & Policy Center, Young Progressives Demanding Action, Imua Alliance, Our Revolution Hawaii, Hawai'i Health & Harm Reduction Center, and seven individuals. Your Committee received testimony in opposition to this measure from six individuals. Your Committee received comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, Democratic Party of Hawai'i Education Caucus, and Grassroot Institute 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 is in accord with the intent and purpose of H.B. No. 133, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, 1 (McDermott). Excused, 1 (Eli).

SCRep. 720 Finance on H.B. No. 286

The purpose of this measure is to:

- (1) Authorize the Department of Taxation to require real estate investment trusts operating in the State to notify the Department of Taxation of the real estate investment trust's presence within the State and report certain tax information annually; and
- (2) Authorize a daily monetary penalty for real estate investment trusts that do not comply with the requirements.

Your Committee received testimony in support of this measure from the ILWU Local 142, Kauai Women's Caucus, Democratic Party of Hawai'i Education Caucus, Church of the Crossroads, Imua Alliance, Our Revolution Hawaii, Faith Action for Community Equity, and numerous individuals. Your Committee received testimony in opposition to this measure from the Securities Industry Association of Hawaii. Your Committee received comments on this measure from the Department of Taxation; Hawaii State Teachers Association; Hawaii Children's Action Network Speaks!; Nareit Hawaii; Park Hotels and Resorts Inc.; Tax Foundation of Hawaii; Young Progressives Demanding Action; Douglas Emmett; NAIOP Hawaii; Alexander & Baldwin; Hawai'i Health & Harm Reduction Center; and Faith Action HousingNow!.

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.B. No. 286, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 721 Finance on H.B. No. 507

The purpose of this measure is to require the Department of Business, Economic Development, and Tourism to fix the payment of royalties to the State for the filming of scenic shots of iconic locations in the State that are subsequently featured in media for production purposes.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; and Motion Picture Association, Inc.

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.B. No. 507, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, 1 (B. Kobayashi). Excused, 1 (Eli).

SCRep. 722 Finance on H.B. No. 1191

The purpose of this measure is to facilitate the deployment of last-mile broadband infrastructure in unserved areas of the State by:

- (1) Establishing the Broadband Infrastructure Grant Program to award grants to applicants to extend deployment of infrastructure used to provide broadband service to unserved areas of the State;
- (2) Amending the Hawaii Technology Loan Revolving Fund to change it to the Hawaii Broadband Infrastructure Fund, including the types of funds deposited into the Hawaii Broadband Infrastructure Fund; and

(3) Authorizing the issuance of general obligation bonds for the Broadband Infrastructure Grant Program.

Your Committee received testimony in support of this measure from the Hawaii Primary Care Association, Maui Chamber of Commerce, Charter Communication, and AlohaCare. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Budget and Finance; Department of Transportation; Office of Community Services of the Department of Labor and Industrial Relations; Office of Information Practices; Hawaii Technology Development Corporation; and Hawaiian Telcom.

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.B. No. 1191, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 723 Finance on H.B. No. 1273

The purpose of this measure is to require the Department of Business, Economic Development, and Tourism to make a public disclosure identifying the names of taxpayers who are receiving certain tax credits and the total amount of tax credit received for specific economic activities.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Department of Taxation; Department of Business, Economic Development and Tourism; and 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 is in accord with the intent and purpose of H.B. No. 1273, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 724 Finance on H.B. No. 111

The purpose of this measure is to:

- (1) Prohibit the use of fossil fuels for electricity generation or storage after December 31, 2045; and
- (2) Prohibit the Public Utilities Commission from approving cost recovery of any application or proposal for generation or storage facilities that use fossil fuels, with certain exceptions.

Your Committee received testimony in support of this measure from the Keiko Conservation, Climate Protectors Hawaii, Environmental Caucus of the Democratic Party of Hawai'i, Environmental Justice Task Force of Faith Action for Community Equity, and three individuals. Your Committee received testimony in opposition to this measure from the Hawaiian Electric Company. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Hawaii State Energy Office, Public Utilities Commission, Hawaii Clean Power Alliance, 350Hawaii.org, and International Brotherhood of Electrical Workers Local 1260.

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.B. No. 111, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, 1 (McDermott). Excused, none.

SCRep. 725 Finance on H.B. No. 116

The purpose of this measure is to:

- (1) Authorize the Chief Energy Officer of the Hawaii State Energy Office to adopt rules to enforce minimum efficiency standards for certain products and establish or amend appliance efficiency standards in certain situations; and
- (2) Regulate the appliance efficiency standards for portable electric spas.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Public Utilities Commission, Blue Planet Foundation, Hawai'i Energy, Pool & Hot Tub Alliance, and two individuals. Your Committee received comments on this measure from the Appliance Standards Awareness Project.

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.B. No. 116, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (McDermott). Noes, none. Excused, none.

SCRep. 726 Finance on H.B. No. 433

The purpose of this measure is to:

- (1) Assess a climate change mitigation impact fee on every customer who rents, leases, or utilizes a rental motor vehicle;
- (2) Establish the Climate Change Mitigation Special Fund; and
- (3) Designate the uses of the monies in the Climate Change Mitigation Special Fund.

Your Committee received testimony in support of this measure from the Hawaii Climate Change Mitigation and Adaption Commission; Kupu; The Trust for Public Land; Blue Planet Foundation; Keiko Conservation; Climate Protectors Hawaii; Imua Alliance; Hawaii Electric Vehicle Association; Surfrider Foundation, O'ahu Chapter; and numerous individuals. Your Committee received testimony in opposition to this measure from Enterprise Holdings and Avis Budget Group. Your Committee received comments on this measure from the Department of Health; Department of Budget and Finance; Department of Transportation; Office of Planning; Hawai'i Youth Climate Coalition; Tax Foundation of Hawaii; Grassroot Institute of Hawaii; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; The Nature Conservancy; National Tropical Botanical Garden; and seven individuals.

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.B. No. 433, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, 1 (McDermott). Excused, none.

SCRep. 727 Finance on H.B. No. 550

The purpose of this measure is to:

- (1) Require state facilities, except smaller facilities and facilities at Aloha Stadium, to implement cost-effective energy efficiency measures;
- (2) Direct the Hawaii State Energy Office to collect all state-owned facilities' utility bill and energy usage data and make this data publicly available;
- (3) Establish a goal for the State to achieve at least a twenty-five percent reduction in the electricity consumption of state facilities;
- (4) Provide that certain agencies that perform energy efficiency retrofitting may continue to receive budget appropriations for energy expenditures; and
- (5) Beginning July 1, 2022, require, where feasible and cost-effective, the design of all new state building construction to maximize energy generation, water efficiency, energy efficiency, and energy generation potential, and to use building materials that reduce the carbon footprint of the project.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Ulupono Initiative, Blue Planet Foundation, Climate Protectors Hawaii, Hawai'i Energy, 350Hawaii.org, and five individuals. Your Committee received comments on this measure from the Department of Accounting and General Services; Department of Education; International Association of Plumbing and Mechanical Officials; and Plumbers and Fitters UA, Local 675.

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.B. No. 550, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 728 Finance on H.B. No. 552

The purpose of this measure is to:

- (1) Require that the procurement policy for each agency purchasing or leasing medium- and heavy-duty motor vehicles be to seek vehicles that reduce dependence on petroleum-based fuels that meet the needs of the agency, where feasible and cost-effective;
- (2) Establish clean ground transportation goals for state agencies on a staggered basis until achieving a complete inventory of clean state-owned, light-duty motor vehicles by December 31, 2035; and
- (3) Require state and county agencies to purchase building materials that reduce the carbon footprint of the project for use on the construction of new roads, where feasible and cost-effective.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Ulupono Initiative, Blue Planet Foundation, Alliance for Automotive Innovation, Climate Protectors Hawaii, Environmental Caucus of the Democratic Party of Hawai'i, Environmental Justice Task Force of Faith Action for Community Equity, Inua Alliance, Hawaiian Electric Company, and eight individuals. Your Committee received comments on this measure from the Department of Transportation, State Procurement Office, Hawaii Automobile Dealers' Association, Hawaii Electric Vehicle Association, 350Hawaii.org, and Hawaii Petroleum Marketers Association.

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.B. No. 552, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 729 Finance on H.B. No. 561

The purpose of this measure is to:

- (1) Require the Public Utilities Commission to determine whether analysis of the effect of the State's reliance on fossil fuels is necessary for proceedings involving water, wastewater, or telecommunications providers on an individual basis; and
- (2) Provide that the analysis is not required for an electric or a gas utility's routine system replacements or determinations that do not directly pertain to capital improvements or operations.

Your Committee received testimony in support of this measure from the Public Utilities Commission. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Hawaiian Electric Company, Hawaii Gas, and Hawaii Clean Power Alliance.

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.B. No. 561, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 730 Finance on H.B. No. 1142

The purpose of this measure is to:

- (1) Establish a surcharge on the sale of high-end gasoline-powered vehicles to fund the installation of electric vehicle charging systems; and
- (2) Establish the Electric Vehicle Charging System Subaccount within the Public Utilities Commission Special Fund.

Your Committee received testimony in support of this measure from the Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu; Ulupono Initiative; Blue Planet Foundation; WeeDriveTesla LLC; Keiko Conservation; Tesla, Inc.; and numerous individuals. Your Committee received testimony in opposition to this measure from the Chamber of Commerce Hawaii, Hawaii Laborers' Union Local 368, Hawaii Automobile Dealers' Association, Cutter Management Co., JN Group, King Windward Nissan, Infiniti of Honolulu, King Auto Center, Alliance for Automotive Innovation, Hawai'i Construction Alliance, New City Nissan, Mercedes-Benz of Honolulu, and four individuals. Your Committee received comments on this measure from the Department of Taxation, Public Utilities Commission, Hawaii State Energy Office, Tax Foundation of Hawaii, Hawaii Electric Vehicle Association, Hawai'i Energy, Grassroot Institute of Hawaii, Hawaiian Electric Company, and Think B.I.G.

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.B. No. 1142, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13; Ayes with Reservations (Holt). Noes, 2 (Eli, McDermott). Excused, none.

SCRep. 731 Finance on H.B. No. 72

The purpose of this measure is to:

- (1) Establish a framework for the regulation of electric foot scooters by the State and counties; and
- (2) Amend definitions of "moped" to exclude electric foot scooters.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii State Energy Office, County of Kaua'i, Department of Transportation Services of the City and County of Honolulu, Department of Customer Services of the City and County of Honolulu, Honolulu Police Department, Lime, Spin, and Helbiz. Your Committee received comments on this measure from the Waikiki Neighborhood Board.

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.B. No. 72, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, McDermott).

SCRep. 732 Finance on H.B. No. 1366

The purpose of this measure is to amend:

- (1) The offense of manufacturing, purchasing, or obtaining firearm parts to assemble a firearm having no serial number to also prohibit possession of those firearm parts; and
- (2) Act 74, Session Laws of Hawaii 2020, to repeal language that specified the prospective application of that Act.

Your Committee received testimony in support of this measure from the Hawai'i Police Department, Honolulu Police Department, Maui Police Department, and fourteen individuals. Your Committee received testimony in opposition to this measure from the Hawaii Firearms Coalition and five individuals.

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.B. No. 1366, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, 2 (Eli, McDermott). Excused, none.

SCRep. 733 Finance on H.B. No. 1271

The purpose of this measure is to:

- (1) Repeal the Agribusiness Development Corporation; and
- (2) Transfer all lands held by the Agribusiness Development Corporation and all of the Agribusiness Development Corporation's staff, except for the Executive Director, to the Department of Agriculture.

Your Committee received testimony in support of this measure from the Kauai Climate Action Coalition; Environmental Caucus of the Democratic Party of Hawai'i; Farm to Keiki; Ka Ohana O Na Pua; Pele Lani Farm LLC; We are One, Inc; Food + Policy Internship; Na Kupuna Moku O Keawe; Hawai'i SEED; Pesticide Action Network; Hawai'i Alliance for Progressive Action; Our Revolution Hawaii; and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of Agriculture; Agribusiness Development Corporation; Larry Jeffs Farms, LLC; Hawai'i Farm Bureau; Kaua'i Island Utility Cooperative; Hawaii Crop Improvement Association; and two individuals. Your Committee received comments on this measure from the Kalepa Coalition and Pono Hawai'i Initiative.

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.B. No. 1271 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 734 Judiciary & Hawaiian Affairs on H.B. No. 975

The purpose of this measure is to add immunity from civil and criminal liability for individuals who provide information or assistance in child abuse investigations.

Your Committee received testimony in support of this measure from the Department of Human Services and Hawai'i Psychological Association. Your Committee received comments on this measure from one individual.

Your Committee finds that the federal Child Abuse and Prevention Act (CAPTA) provides federal funding and guidance to states in support of prevention, assessment, investigation, prosecution, and treatment activities for child abuse and neglect. As amended by the federal Victims of Child Abuse Act Reauthorization Act of 2018 (2018 Reauthorization Act), CAPTA provides immunity from civil and criminal liability for individuals who provide information or assistance in child abuse investigations.

Your Committee further finds that CAPTA, as amended by the 2018 Reauthorization Act, requires the states to be in compliance with the immunity amendments as a condition for receipt of federal funds. The U.S. Department of Health and Human Services' Administration for Children and Families has set a deadline of June 30, 2021, for Hawaii to be compliant with this requirement. Your Committee finds that this measure will bring the State into compliance with CAPTA and that this measure must be enacted before June 30, 2021, to ensure the receipt of future federal funds.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 975, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 735 Judiciary & Hawaiian Affairs on H.B. No. 980

The purpose of this measure is to broaden the Department of Human Services' right of entry into a vulnerable adult's premises without a warrant for investigation of any type of abuse, regardless of whether there is a physical injury.

Your Committee received testimony in support of this measure from the Department of Human Services, Executive Office on Aging, and one individual.

Your Committee finds that abuse of vulnerable persons can take many forms, including physical abuse, psychological abuse, sexual abuse, financial exploitation, caregiver neglect, and self-neglect. Your Committee further finds that under existing law, the Department of Human Services may only conduct a warrantless entry when there is probable cause that the vulnerable adult will be physically injured. Your Committee finds that this measure is necessary to quickly protect vulnerable persons from other forms of abuse.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 980, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 736 Judiciary & Hawaiian Affairs on H.B. No. 181

The purpose of this measure is to include in the definition of "property", as it relates to offenses against property rights under the Hawaii Penal Code, property stored in an electronic medium and is retrievable in a perceivable form.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and Honolulu Police Department.

Your Committee finds that the definition of "property" in the Hawaii Penal Code has not been amended since enactment of the Hawaii Penal Code in 1972. This definition does not properly account for intangible property stored in an electronic format, such as property stored on a computer. Your Committee finds that this measure is necessary to adequately address theft of property stored in an electronic format.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 181, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 737 Judiciary & Hawaiian Affairs on H.B. No. 247

The purpose of this measure is to implement several recommendations with regard to land subdivision and condominium property regime laws relating to agricultural lands made by the Office of Planning as a result of a study conducted pursuant to Act 278, Session Laws of Hawaii 2019.

Your Committee received testimony in support of this measure from the Department of Agriculture, Office of Planning, Real Estate Commission, Department of Planning and Permitting of the City and County of Honolulu, Hawai'i Farm Bureau, Ulupono Initiative, and one individual. Your Committee received comments on this measure from the Department of Taxation.

Your Committee finds that inadequate definitions of a bona fide farm have resulted in the proliferation of dwellings without a farm component, fake farms, and gentlemen estates on agricultural land. Your Committee further finds that this measure will promote the use of agricultural land for agriculture by defining a "farm dwelling" to address the current inadequacies, allow county enforcement of unpermitted structures in leasehold subdivisions in the agricultural district, and require county comments prior to condominium property regime registration for projects in the agricultural district.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 247 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Ichiyama, Tokioka).

SCRep. 738 Judiciary & Hawaiian Affairs on H.B. No. 1028

The purpose of this measure is to repeal the Koke'e State Park Advisory Council.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the Koke'e State Park Advisory Council is tasked with reviewing and assisting in updating, revising, and implementing the Koke'e State Park Master Plan; advising and assisting in the management of the Koke'e recreational cabin leases; enhancing community education and cultural awareness of Koke'e State Park; and participating in the protection and preservation of Koke'e State Park's natural and cultural resources. Your Committee further finds that the Koke'e State Park Advisory Council's work led to the development and completion of the Koke'e/Waimea Canyon Final Master Plan and Environmental Impact Statement in 2015. Your Committee finds, however, that the Koke'e State Park Advisory Council has not met in over five years nor has it been populated with necessary members.

Your Committee further finds that there are alternative models of acquiring community collaboration. In other master plan implementations, ad hoc community advisory committees were utilized to provide beneficial community input without the burdensome restrictions associated with legislatively created bodies. As such, the Department of Land and Natural Resources has the ability to work with community organizations that may provide valuable input in lieu of a dormant advisory committee.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1028 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Ichiyama, Tokioka).

SCRep. 739 Judiciary & Hawaiian Affairs on H.B. No. 1031

The purpose of this measure is to reduce the number of members who serve on the Hawaii Historic Places Review Board.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the Hawaii Historic Places Review Board is tasked, among other things, with ordering and entering historic properties into the Hawaii Register of Historic Places, recommending the nomination of historic properties to the National Register of Historic Places, and reviewing the State Historic Preservation Plan. However, it has become increasingly more difficult to find qualified persons to fill the Hawaii Historic Places Review Board. This measure will address the recruitment issues of the Board, while allowing it to continue to fulfill its duties under state and federal law.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1031 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Ichiyama, Tokioka).

SCRep. 740 Judiciary & Hawaiian Affairs on H.B. No. 352

The purpose of this measure is to:

- (1) Clarify that the pawnbrokers and secondhand dealers law applies to a secondhand dealer's operation of an automated recycling kiosk that only accepts handheld electronic devices for recycling; and
- (2) Specify retention requirements for secondhand dealers that operate an automated recycling kiosk.

Your Committee received testimony in support of this measure from the Maui Police Department, ecoATM, and Retail Merchants of Hawaii. Your Committee received testimony in opposition to this measure from Kamaaina Loan and the Hawaii Pawnbrokers Association.

Your Committee finds that this measure provides for a secure means to accept handheld electronic devices for recycling, promotes environmentally friendly practices, and allows secondhand dealers to remain responsive during the retention period to any request by a law enforcement agency.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 352, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Ward). Noes, none. Excused, 1 (Tokioka).

SCRep. 741 Judiciary & Hawaiian Affairs on H.B. No. 156

The purpose of this measure is to repeal the requirement that the County of Kauai contract solely with the Kauai Humane Society for animal control services.

Your Committee did not receive any testimony on this measure.

Your Committee finds that the statutory requirement that the County of Kauai contract solely with the Kauai Humane Society for animal control services is outdated and has been superseded by the County's ability to offer public contracts to other animal control service providers. Your Committee also finds that construction of the dog pound authorized by statute has been completed. Accordingly, the statutory provision is obsolete and should be repealed.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 156 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Ichiyama, Tokioka).

SCRep. 742 Judiciary & Hawaiian Affairs on H.B. No. 1022

The purpose of this measure is to:

- (1) Clarify that any conservation and resources enforcement officer of the Department of Land and Natural Resources may, in the performance of their official duties, stop and temporarily detain any person whom the officer reasonably believes is, or recently has been engaged in hunting or fishing for a natural resource inspection; and
- (2) Establish penalties for refusal to comply with inspection requests.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Keiko Conservation, Kua'āina Ulu 'Auamo, For the Fishes, Mālama Pūpūkea-Waimea, The Nature Conservancy, Surfrider Foundation O'ahu Chapter, Moana Ohana, and eight individuals. Your Committee received testimony in opposition to this measure from Lokahi Fishing, LLC; Waialua Boat Club; Hawaii Fishermen's Alliance for Conservation and Tradition, Inc.; and seven individuals. Your Committee received comments on this measure from the Office of Hawaiian Affairs and one individual.

Your Committee finds that impediments to the enforcement of Hawaii's fishing and hunting laws are detrimental to the protection and conservation of natural resources in the State. This measure provides necessary inspection and enforcement powers under the Department of Land and Natural Resources' Conservation and Resources Program for protection of Hawaii's aquatic life and wildlife.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1022, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Ward). Noes, none. Excused, 2 (Ichiyama, Tokioka).

SCRep. 743 Consumer Protection & Commerce on H.B. No. 221

The purpose of this measure is to:

- (1) Eliminate the option on a standard proxy form for a condominium unit owner to submit a proxy to the condominium board as a whole; and
- (2) Prohibit managing agents, resident managers, or their employees, or condominium associations' employees from soliciting proxies from condominium unit owners.

Your Committee received testimony in support of this measure from the Hui 'Oia'i'o, Palehua Townhouse Association, and twelve individuals. Your Committee received testimony in opposition to this measure from the Hawai'i State Association of Parliamentarians Legislative Committee, Honolulu Tower Association of Apartment Owners, Community Associations Institute – Hawaii Legislative Action Committee, Associa, and seven individuals. Your Committee received comments on this measure from the Hawaii Council of Associations of Apartment Owners and one individual.

Your Committee finds that proxies are an important part of the governance of a condominium association, including ensuring quorum for purposes of annual meetings. Proxies allow unit owners to participate in association matters in the event they are unable to be physically present at an association meeting.

Your Committee further finds, however, that some condominium owners have raised concerns that proxies may be used by board members in an unscrupulous manner. This measure is intended to help address these concerns.

Your Committee has amended this measure by:

- (1) Retaining statutory language that provides the option on a standard proxy form to submit a proxy to the condominium board as a whole;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 221, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 221, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 744 Consumer Protection & Commerce on H.B. No. 305

The purpose of this measure is to eliminate the requirement that a condominium association first advertise the sale, donation, or disposition of personalty abandoned in or on the common elements of a condominium project, and allow the association to proceed directly to sell, store, donate, or dispose of the personalty and keep the proceeds.

Your Committee received testimony in support of this measure from the Honolulu Tower Association of Apartment Owners, Palehua Townhouse Association, Hawaii Council of Associations of Apartment Owners, AOA Mauna Luan Inc., Associa, and seven individuals.

Your Committee finds that personalty may be left in common areas of a condominium by residents, their visitors, or other third parties. When the owner of the personalty or the owner's address is not known, existing law requires a condominium association to first advertise the sale, donation, or disposition at least once in a daily paper of general circulation. Your Committee further finds that this requirement is unnecessarily burdensome to condominium associations and merely increases the costs associated with the operation of condominiums.

Your Committee has amended this measure by changing the effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 305, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 305, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 745 Consumer Protection & Commerce on H.B. No. 599

The purpose of this measure is to:

- (1) Specify the notice requirements for regular annual or special meetings of a cooperative housing corporation; and
- (2) Authorize cooperative housing corporations, planned community associations, and condominium associations to conduct regular annual meetings by videoconferencing in the event of a pandemic or other similar unforeseen circumstance that prevents owners from physically gathering for a meeting.

Your Committee received testimony in support of this measure from the Hawai'i State Association of Parliamentarians Legislative Committee, Honolulu Tower Association of Apartment Owners, Community Associations Institute, Hawaii Council of Associations of Apartment Owners, Associa, and five individuals.

Your Committee finds that the COVID-19 pandemic has demonstrated the need to allow certain organizations the flexibility to continue to conduct their business and address matters in a manner that does not place persons at risk. Your Committee further finds that many organizations are successfully adapting to the COVID-19 pandemic by conducting their business through electronic communication, specifically through videoconference technology.

Your Committee notes the testimony received for its public hearing, which indicated that certain amendments proposed by this measure that would permit cooperative housing corporations and planned community associations to conduct meetings via videoconferencing are unnecessary, as the Hawaii Nonprofit Corporations Act already permits these types of associations to conduct annual meetings.

Your Committee has amended this measure by:

- (1) Deleting provisions relating to cooperative housing corporation meetings;
- (2) Clarifying that planned community associations may conduct meetings remotely consistent with the Hawaii Nonprofit Corporations Act, rather than authorizing planned community associations to conduct meetings through videoconferencing in the event of a pandemic or other similar unforeseen circumstance;
- (3) Broadening the authorization for condominium associations to:
 - (A) Conduct electronic meetings and electronic, machine, or mail voting, rather than just videoconferencing; and
 - (B) Conduct meetings and voting during a state of emergency, rather than a pandemic or other similar unforeseen circumstance;
- (4) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 599, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 599, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 746 Consumer Protection & Commerce on H.B. No. 961

The purpose of this measure is to:

- (1) Exempt dependents of military servicemembers from the residency requirements for government employment when the dependent is in the State accompanying the military servicemember on valid military orders; and
- (2) Allow a spouse of an active duty member of the armed forces, who accompanies the active duty member on a permanent change of station to Hawaii and holds a professional license in another jurisdiction to apply for licensure on an expedited basis in the State.

Your Committee received testimony in support of this measure from the United States Indo-Pacific Command, Department of Defense, Department of Commerce and Consumer Affairs, Department of Human Resources Development, Work for Warriors Hawaii, Chamber of Commerce Hawaii, and two individuals. Your Committee received comments on this measure from the United States Department of Defense and Department of Labor and Industrial Relations.

Your Committee finds that military spouses who accompany their armed forces servicemember spouse on a permanent change of station experience many challenges with moving and adjusting, particularly when they have families. Their reduced ability to find competitive jobs compounds that challenge and often results in months of nonemployment. For military spouses employed in occupations licensed by states, that challenge is exacerbated by the licensing process in the new jurisdiction, which typically takes three to four months for a military spouse to obtain licensure in a new jurisdiction. This measure is necessary to provide a streamlined process to expedite the licensure process and reduce the financial burdens on military families who newly arrive in the State.

Your Committee has amended this measure by:

- (1) Including mental health counselors as one of the listed professions that qualify a spouse of a servicemember for an expedited temporary license;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 961, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 961, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 747 Judiciary & Hawaiian Affairs on H.B. No. 888

The purpose of this measure is to:

- (1) Require persons who remain in Hawaii for more than ten days or for an aggregate period of more than thirty days per year and are subject to registration or community or public notification requirements as covered offenders or sexual offenders in another state or jurisdiction to register as a covered offender in Hawaii, regardless of whether the out-of-state conviction is a covered offense under Hawaii law; and
- (2) Amend the registration requirements for persons who establish or maintain a residence in Hawaii and are subject to registration or community or public notification requirements as covered offenders or sexual offenders in another state or jurisdiction.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Public Safety, and Honolulu Police Department.

Your Committee finds that the Hawaii Supreme Court recently ruled that, under existing law, a person who visits Hawaii for more than ten days or for more than thirty days per year does not need to register as a covered offender in Hawaii if the person's out-of-state conviction does not correspond to a covered offense under Hawaii law. This measure will better ensure compliance with the purpose and intent of Hawaii's covered offender registration laws.

Your Committee has amended this measure by making technical, nonsubstantive amendments for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 888, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 888, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Todd).

SCRep. 748 Judiciary & Hawaiian Affairs on H.B. No. 1032

The purpose of this measure is to update and codify within the Uniform Controlled Substances Act certain amendments made to the federal controlled substances law.

Your Committee received testimony in support of this measure from the Department of Public Safety. Your Committee received comments on this measure from Akamai Cannabis Clinic.

Your Committee finds that this measure is necessary to make permanent the temporary designation of new controlled substances by the Department of Public Safety. Your Committee further finds that the Department of Public Safety's temporary designation of the new controlled substances will be nullified if this Legislature does not make the designations permanent.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1032, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1032, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Todd).

SCRep. 749 Judiciary & Hawaiian Affairs on H.B. No. 338

The purpose of this measure is to:

- (1) Require an appellate court to conduct a hearing when a party to any lawsuit, action, or proceeding of the appellate court files a motion for hearing on a possible conflict of interest; and
- (2) Allow the judge or justice who is the subject of the motion an opportunity to file a response to the motion or recuse himself.

Your Committee received comments on this measure from the Judiciary.

Your Committee finds that the fair, independent, and impartial administration of justice is a longstanding value of American jurisprudence. Your Committee further finds that at the appellate level, authorizing the filing of a motion for a hearing on a possible conflict of interest when a party to a lawsuit, action, or proceeding believes that a judge or justice hearing the appeal has a disqualifying conflict of interest would facilitate a valuable exchange regarding impartiality, allow a judge or justice the opportunity to rebut any alleged conflict, and promote transparency within the Judiciary.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 338, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 338, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Todd).

SCRep. 750 Judiciary & Hawaiian Affairs on H.B. No. 334

The purpose of this measure is to:

- (1) Establish the State Drug and Alcohol Toxicology Testing Laboratory Special Fund to support a State Drug and Alcohol Toxicology Testing Laboratory;
- (2) Specify that monies in the State Highway Fund may be expended for the cost of establishing a State Drug and Alcohol Toxicology Testing Laboratory;
- (3) Require that fines imposed on offenders convicted of repeat or habitual offenses involving operating a vehicle under the influence of an intoxicant or convicted of operating a vehicle after a license and privilege have been suspended or revoked for operating a vehicle under the influence of an intoxicant be deposited into the State Drug and Alcohol Toxicology Testing Laboratory Special Fund;
- (4) Appropriate funds out of the State Highway Fund for deposit into the State Drug and Alcohol Toxicology Testing Laboratory Special Fund;
- (5) Appropriate funds out of the State Drug and Alcohol Toxicology Testing Laboratory Special Fund for the establishment of a State Drug and Alcohol Toxicology Testing Laboratory; and
- (6) Require the Department of Health to submit reports to the Legislature on expenditures from the State Drug and Alcohol Toxicology Testing Laboratory Special Fund.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Health, Department of Transportation, Office of the Prosecuting Attorney of the County of Kaua'i, Department of the Prosecuting Attorney of the County of Maui, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, Hawaii Chapter of Mothers Against Drunk Driving, Hawaii Strategic Highway Safety Plan, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that highway safety in Hawaii is compromised by drunk and drugged drivers who continue to jeopardize the safety of all road users. Although the police continue to arrest individuals suspected of driving while impaired, prosecuting these cases can be hampered by test results frequently not being available in time for the court hearing, and by expensive court costs. Your Committee further finds that at present, testing of blood and urine samples obtained for the purpose of prosecuting cases involving the operation of a motor vehicle under the influence of an intoxicant is performed by private laboratories, with the exception of alcohol blood testing within the City and County of Honolulu. Your Committee also finds that having an in-state drug and alcohol toxicology testing laboratory would be part of a multi-pronged approach to addressing impaired driving on our roadways.

Your Committee has amended this measure by:

- (1) Deleting the appropriation of funds from the State Highway Fund and State Drug and Alcohol Toxicology Testing Laboratory Special Fund;
- (2) Amending the Penal Code to clarify that the Director of Finance shall transmit the fines imposed on offenders convicted of certain offenses involving operation of a vehicle under the influence of an intoxicant to the State Drug and Alcohol Toxicology Testing Laboratory Special Fund; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 334, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 334, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Todd).

SCRep. 751 Judiciary & Hawaiian Affairs on H.B. No. 458

The purpose of this measure is to extend the renewal period from two years to four years for persons with a driver's license who are seventy-two years of age or older but younger than eighty years of age; provided that their driving record does not include two or more moving traffic violation convictions after attaining the age of seventy-two.

Your Committee received testimony in support of this measure from the Policy Advisory Board for Elder Affairs and five individuals. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that, currently, a person older than seventy-two years of age must renew their driver's license every two years. Your Committee further finds that there is no local data to indicate drivers aged seventy-two to seventy-nine are at higher risk of causing or being involved in crashes. This measure relieves the burden of drivers aged seventy-two to seventy-nine from having to renew their driver's license more frequently.

Your Committee has amended this measure by:

- (1) Deleting the requirement for persons with a driver's license who are seventy-two years of age or older but younger than eighty years of age to have less than two moving traffic violations after attaining the age of seventy-two years to qualify for the four-year driver's license renewal period;
- (2) Changing the effective date to July 1, 3021, to encourage further discussion; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 458, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 458, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Todd).

SCRep. 752 Judiciary & Hawaiian Affairs on H.B. No. 1010

The purpose of this measure is to require:

- (1) The fire chief and ocean safety director of each county, in addition to the Director of Public Safety and police chief of each county, to transmit to the Department of Land and Natural Resources a copy of every report relating to boating accidents or the theft, loss, or recovery of vessels; and
- (2) All reports submitted to be unredacted.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received testimony in opposition to this measure from the State Fire Council and Department of Fire and Public Safety of the County of Maui.

Your Committee finds that the Board of Land and Natural Resources has the primary responsibility for administering the ocean recreation and coastal areas programs in the areas of boating safety, conservation, search and rescue, and security of small boat harbor environments. Without reporting from fire and ocean safety personnel on rescues, enforcement of ocean safety rules, and other key information that would reveal the efficacy of ongoing policies, rules, and practices, the Department of Land and Natural Resources would only have a portion of the information required to carry out its duties. Your Committee further finds that this measure will promote a fuller presentation of facts to the Department in a transparent manner.

Your Committee has amended this measure by:

- (1) Allowing medical information in the submitted reports to be redacted; and
- (2) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1010, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1010, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Todd).

SCRep. 753 Judiciary & Hawaiian Affairs on H.B. No. 175

The purpose of this measure is to include coercion as a means of committing the offense of sex trafficking.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Maui Police Department, Imua Alliance, and two individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that the existing statutory description for the offense of sex trafficking may inadequately cover instances the offense was meant to address. Under the existing offense of sex trafficking, prostitution advanced by means of force, threat, fraud, or intimidation are covered. However, there have been instances when the state courts have indicated that a particular set of facts did not fit within these means. This measure seeks to remedy this gap by adding coercion to the listed means for committing the offense of sex trafficking.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 175, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 175, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Todd).

SCRep. 754 Judiciary & Hawaiian Affairs on H.B. No. 1107

The purpose of this measure is to:

- (1) Add aggravated harassment by stalking to the list of offenses upon which the offense of use of a computer in the commission of a separate crime may be based; and
- (2) Specify that property used in computer crimes shall be forfeited even when the perpetrator was a person under the age of eighteen who did not have ownership of the property.

Your Committee received testimony in support of this measure from the Honolulu Police Department and LGBT Caucus of the Democratic Party of Hawaii. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that bullying, cyberbullying, and harassment are serious issues that hinder student well-being and achievement, especially when the targets are vulnerable youth. Your Committee further finds that the transition to online classroom environments as a result of the COVID-19 pandemic has exacerbated the problems of bullying, cyberbullying, and harassment of vulnerable youth. This measure will provide further incentive to parents and guardians to better ensure that their minor children refrain from using electronic devices to perpetrate bullying, cyberbullying, and harassment.

Your Committee has amended this measure by providing the court with the discretion to require the forfeiture of property used in computer crimes if the perpetrator was a minor, regardless of whether the person owned the property.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1107, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1107, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (LoPresti). Noes, none. Excused, 2 (Lowen, Todd).

SCRep. 755 Judiciary & Hawaiian Affairs on H.B. No. 171

The purpose of this measure is to broaden the state of mind requirements for certain offenses under chapter 486M, Hawaii Revised Statutes, relating to the responsibilities of pawnbrokers and secondhand dealers.

Your Committee received testimony in support of this measure from the Maui Police Department and Honolulu Police Department. Your Committee received testimony in opposition to this measure from the Office of the Public Defender, Hawaii Pawnbrokers Association, Hawaii Gold & Silver Company, and Kamaaina Loan and Cash for Gold.

Your Committee finds that Hawaii has a high property crime rate. Stolen property is often sold as secondhand items under the guise of legitimate business transactions. Your Committee further finds, however, that violations of the pawnbrokers and secondhand dealers law requires proof that a person knowingly purchased stolen property. This is a high bar that is typically only satisfied through a confession. Your Committee finds that this measure is necessary to deter the movement of stolen property through legitimate business channels.

Your Committee has amended this measure by:

- (1) Reinstating the state of mind requirement of knowingly violating the pawnbrokers and secondhand dealers law, as well as including intentionally or recklessly violating the law in the affected section; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 171, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 171, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (D. Kobayashi, Lowen). Noes, none. Excused, none.

SCRep. 756 Judiciary & Hawaiian Affairs on H.B. No. 887

The purpose of this measure is to update the sex trafficking laws to better reflect the current challenges created by the criminal enterprise involved in commercial sexual exploitation.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, Ho'ola Na Pua, and one individual. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that the Hawaii Penal Code does not adequately account for all of the methods and forms of sexual exploitation and human trafficking. This measure will better account for the various forms of sexual exploitation and human trafficking through changes in terminology and closing loopholes that protect culpable individuals.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 887, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 887, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 757 Judiciary & Hawaiian Affairs on H.B. No. 1036

The purpose of this measure is to:

- (1) Specify the persons authorized to serve civil legal process;
- (2) Mandate the Department of Public Safety to maintain a list of independent civil process servers; and
- (3) Shield the State and the Department of Public Safety from liability arising from the acts of independent civil process servers.

Your Committee received testimony in support of this measure from the Collection Law Section of the Hawaii State Bar Association. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that Act 116, Session Laws of Hawaii 2013 (Act 116), which clarified the service of process in the State, was repealed on June 30, 2020. This measure will reimplement the substantive provisions of Act 116 to ensure the efficiency and fairness of the service of process in Hawaii.

Your Committee has amended this measure by making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1036, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1036, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 758 Judiciary & Hawaiian Affairs on H.B. No. 1326

The purpose of this measure is to allow a narrow hearsay exception for statements made by a domestic violence victim to a government official within twenty-four hours of a domestic violence incident and before the defendant is arrested regardless of the availability of the declarant, as long as the statement bears sufficient indicia of reliability.

Your Committee received testimony in support of this measure from the Domestic Violence Action Center. Your Committee received testimony in opposition to this measure from the Hawaii Supreme Court's Standing Committee on Rules of Evidence, Office of the Public Defender, Hawaii Association of Criminal Defense Lawyers, and two individuals. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that victims of domestic violence are often reluctant to testify in court against their abusers, making prosecution of domestic violence cases difficult. Your Committee further finds that as a means of addressing this issue, Oregon has adopted a narrow hearsay exemption for statements made by a victim of domestic violence to a government official after a domestic violence incident. This measure serves to strike a balance between protecting the constitutional rights of defendants while promoting the safety of domestic violence victims.

Your Committee has amended this measure by:

- (1) Amending when, to whom, and in what form the statement must be made under the hearsay exception by requiring that the statement be made by a victim of domestic violence during the course of the first interaction with the responding law enforcement officers;
- (2) Changing the effective date to July 1, 3021, to encourage further discussion; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1326, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1326, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Lowen, Takumi, Todd, Tokioka). Noes, 2 (D. Kobayashi, Nakamura). Excused, none.

SCRep. 759 Judiciary & Hawaiian Affairs on H.B. No. 199

The purpose of this measure is to:

- (1) Repeal the requirement that election proclamations contain a statement of the time and places where an election is to be held; and
- (2) Specify that the county clerk, not the Chief Election Officer, shall issue an election proclamation listing all voter service centers and places of deposit as may have been determined by the clerk as of the proclamation date.

Your Committee received testimony in support of this measure from the Office of Elections and Common Cause Hawaii.

Your Committee finds that this measure will ensure the timely issuance and dissemination of information to voters and improve the administration of elections by mail by clarifying that the county clerks must issue proclamations related to voter service centers and places of deposit that they have established.

Your Committee has amended this measure by:

- (1) Requiring the election proclamations issued by the county clerks to include the days each voter service center and place of deposit is open and the hours of operations and location of each voter service center and place of deposit; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 199, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 199, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 760 Judiciary & Hawaiian Affairs on H.B. No. 248

The purpose of this measure is to authorize members of secular or non-religious organizations to solemnize marriages and civil unions.

Your Committee received testimony in support of this measure from the Department of Health and two individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that this measure will ensure equal treatment of religious and secular wedding and civil union practitioners regarding the rite of marriage by establishing a category of authorized, secular wedding and civil union practitioners known as "civil celebrants."

Your Committee has amended this measure by:

- (1) Requiring every person or society licensed to solemnize marriages or civil unions to pay a \$40 fee for each marriage ceremony or civil union solemnization performed within the State; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 248, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 248, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Ward). Noes, none. Excused, 1 (Todd).

SCRep. 761 Judiciary & Hawaiian Affairs on H.B. No. 818

The purpose of this measure is to provide that the facts and circumstances to be considered in establishing the offenses of criminal trespass in the second degree and criminal trespass onto state lands may include authenticated photographs, video recordings, or other recordings that show the commission of the offense.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender and one individual. Your Committee received comments on this measure from the Department of Public Safety and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that this measure is consistent with best evidence practices in proving criminal offenses.

Your Committee has amended this measure by:

- (1) Clarifying that the facts and circumstances to be considered may include but not be limited to authenticated photographs, video recordings, or other recordings that show the commission of the offense; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 818, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 818, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Lowen, McKelvey, Nakamura, Takumi, Tokioka). Noes, 1 (D. Kobayashi). Excused, 1 (Todd).

SCRep. 762 Judiciary & Hawaiian Affairs on H.B. No. 169

The purpose of this measure is to amend the offense of disorderly conduct to include engaging in conduct with the intent to convey certain false or misleading information.

Your Committee received testimony in support of this measure from the Honolulu Police Department. Your Committee received testimony in opposition to this measure from the Office of the Public Defender and eighteen individuals.

Your Committee finds that the conveyance of threats of violence, mass violence, or destruction of property, using various media is a growing concern. These messages are often intended as pranks, or are intended to disrupt services, and result in the unnecessary expenditure of significant resources by law enforcement agencies.

Your Committee further finds that court rulings have held that the Hawaii Penal Code does not criminalize the making of false or misleading threats. Therefore, this measure is necessary to discourage the issuance of such messages in this digital age. However, your Committee recognizes that this measure may result in the stigmatization of minors who may post false or misleading information on social media without understanding the seriousness or permanence of their actions.

Accordingly, your Committee has amended this measure by:

- (1) Allowing minors convicted of a first-time offense of disorderly conduct for conveying false or misleading information to apply to the court for expungement upon attaining the age of eighteen or three years after the conviction, whichever is later; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 169, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 169, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Lowen, Nakamura, Todd, Ward). Noes, none. Excused, none.

SCRep. 763 Judiciary & Hawaiian Affairs on H.B. No. 170

The purpose of this measure is to include within the offense of theft in the second degree the theft of property commonly used to store items of personal or monetary value, including any purse, handbag, or wallet.

Your Committee received testimony in support of this measure from the Honolulu Police Department. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that the Hawaii Penal Code does not adequately cover instances in which a person takes the property of another that is commonly used to store items of personal or monetary value. The Hawaii Supreme Court has held that the prosecution must prove beyond a reasonable doubt that the defendant intended to steal property or services at the value specified in the Hawaii Penal Code. Thus, your Committee further finds that, while persons may be arrested for stealing property in excess of the statutory amounts, the burden to prove that the person intended to steal those items discourages these prosecutions. Your Committee further finds, however, that items of personal value may be too vague to be enforceable.

Accordingly, your Committee has amended this measure by:

- (1) Removing items of personal value from the types of items that may be the basis for the offense;
- (2) Clarifying that the examples of property commonly used to store items of monetary value are not exhaustive; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 170, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 170, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Lowen, Nakamura). Noes, none. Excused, none.

SCRep. 764 Judiciary & Hawaiian Affairs on H.B. No. 566

The purpose of this measure is to add coercive control between family or household members to the offense of abuse of family or household members as a petty misdemeanor.

Your Committee received testimony in support of this measure from Planned Parenthood Votes Northwest and Hawaii, Early Childhood Action Strategy, Hawai'i State Coalition Against Domestic Violence, Hawai'i Women's Coalition, American Association of University Women of Hawaii, and one individual. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and Honolulu Police Department.

Your Committee finds that research has shown that exposure to sustained trauma within the first five years of life can have lasting effects on brain development and long-term health outcomes. Your Committee further finds that abuse and neglect of family members are on the rise in the State due to the stressors of the COVID-19 pandemic. Your Committee believes that adding coercive control between family or household members to the offense of abuse

of family or household members as a petty misdemeanor would apply to many victims and would encourage them to come forward and seek a legal safety net for themselves and their loved ones.

Your Committee has amended this measure by changing the effective date to July 1, 2021, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 566, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 566, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (McKelvey, Takumi). Noes, none. Excused, none.

SCRep. 765 Judiciary & Hawaiian Affairs on H.B. No. 172

The purpose of this measure is to establish the offense of unauthorized control of a propelled vehicle in the second degree.

Your Committee received testimony in support of this measure from the Maui Police Department and Honolulu Police Department. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that existing law aims to punish or deter the theft of propelled vehicles. Your Committee further finds, however, that court rulings require the prosecution to prove that a defendant knew the propelled vehicle was stolen. This has hindered efforts to prosecute persons operating stolen vehicles. This measure will provide law enforcement agencies with the flexibility that is necessary to prosecute persons who recklessly or negligently exert unauthorized control of another's propelled vehicle by operating the vehicle without the owner's consent or by changing the identity of the vehicle without the owner's consent.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 172, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 172, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 766 Judiciary & Hawaiian Affairs on H.B. No. 177

The purpose of this measure is to hold offenders strictly liable for sexual assaults committed against persons who are mentally defective.

Your Committee received testimony in support of this measure from the Maui Police Department, Honolulu Police Department, and Department of the Prosecuting Attorney of the City and County of Honolulu. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that persons who are mentally defective are vulnerable to sexual predators. These individuals have limited, if any, capacity to knowingly and willingly consent to sexual acts. Your Committee further finds that this measure will strengthen the protections provided for persons who are mentally defective in the Hawaii Penal Code.

Your Committee has amended this measure by:

- (1) Providing that there is a rebuttable presumption that the person assaulted was mentally defective instead of holding offenders strictly liable;
- (2) Changing the effective date to July 1, 2021, to encourage further discussion; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 177, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 177, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 767 Judiciary & Hawaiian Affairs on H.B. No. 1237

The purpose of this measure is to clarify that the effective period of a temporary restraining order, protective order, or injunction for a minor may extend to a reasonable date after the minor has reached the age of eighteen.

Your Committee received testimony in support of this measure from the Honolulu Police Department and Hawaii State Coalition Against Domestic Violence.

Your Committee finds that temporary restraining orders, protective orders, and injunctions against harassment for a minor typically expire when the minor reaches the age of eighteen. This measure eliminates the automatic termination of the order or injunction and permits the extension of the order's or injunction's effective period, thereby ensuring the protection of individuals in the State.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2021, to encourage further discussion; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1237, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1237, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 768 Finance on H.B. No. 1147

The purpose of this measure is to appropriate funds for capital improvement projects for fiscal biennium 2021-2023.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Office of Planning; University of Hawai'i System; Department of Agriculture; Department of Hawaiian Home Lands; Department of Public Safety; Hawaii Public Housing Authority; Department of Defense; Department of Accounting and General Services; Hawaii Housing Finance and Development Corporation; Department of Education; Hawaii State Public Library System; Department of Health; Hawaii Interagency Council for Transit-Oriented Development; County of Maui Department of Water Supply; Department of Water Supply, County of Hawaii; Catholic Charities Hawaii; Partners In Care; The Institute for Human Services, Inc.; AARP Hawaii; American Bird Conservancy; Hope Services Hawaii; Community Alliance Partners; and five individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Transportation, Hawaii Health Systems Corporation, and Agribusiness Development Corporation.

Your Committee finds that capital improvement projects are essential to our economy and play a pivotal role in building social infrastructure and helping to strengthen communities. This measure provides an opportunity to invest in the State's infrastructure while remaining fiscally prudent.

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.B. No. 1147 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 769 Finance on H.B. No. 53

The purpose of this measure is to authorize the issuance of general obligation bonds and to make the constitutionally-required findings that the bond issuance will not cause the state debt limit to be exceeded.

Your Committee received testimony in support of this measure from the Department of Budget and Finance.

Your Committee finds that Article VII, section 13, of the Constitution of the State of Hawaii requires the Legislature to include a declaration of findings in every general law authorizing the issuance of general obligation bonds, which shall declare that the issuance of state bonds authorized will not cause the debt limit to be exceeded at the time of issuance. Your Committee further finds that the proceeds generated from the general obligation bonds authorized to be issued under this measure will be used to finance the fulfillment of important state objectives.

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.B. No. 53 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 770 Finance on H.B. No. 1115

The purpose of this measure is to deposit into the Emergency and Budget Reserve Fund monies received by the State through a civil action in which the State is a party and no other law or court order specifically provides where to deposit the monies received as a result of the civil action.

Your Committee received testimony in support of this measure from the Department of Budget and Finance.

Your Committee finds that the Emergency and Budget Reserve Fund is limited to receiving the deposit of monies in three ways, from the tobacco settlement monies, appropriations from the Legislature, and excess general fund balances under certain circumstances. This measure will allow the Legislature to receive monies from civil actions where the State is a party and deposit those monies into the Emergency and Budget Reserve Fund to further the purposes of the Fund during times of emergency, severe economic downturn, or unforeseen reductions in revenue.

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.B. No. 1115 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 771 Judiciary & Hawaiian Affairs on H.B. No. 784

The purpose of this measure is to clarify that when trespass involves public land, all law enforcement officers shall enforce trespass laws, without regard to whether the land is owned by the State or a county.

Your Committee received testimony in support of this measure from the Department of Public Safety. Your Committee received testimony in opposition to this measure from Ka Lāhui Hawai'i Kōmike Kalai'āina and three individuals.

Your Committee finds that the Department of Public Safety's Law Enforcement Division currently conducts and assists in joint trespass operations with local law enforcement. This measure will make clear that all law enforcement officers shall enforce trespass laws on public land regardless of who owns the property.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 784 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Tokiooka).

SCRep. 772 Judiciary & Hawaiian Affairs on H.B. No. 895

The purpose of this measure is to clarify that defendants being sentenced for offenses that were committed while serving a sentence of imprisonment on a separate unrelated felony conviction cannot be given credit for any time that was served for the separate unrelated felony conviction, even if the defendant was simultaneously being detained pending trial for the offense committed while serving the sentence of imprisonment for the separate unrelated felony conviction.

Your Committee received testimony in support of this measure from the Department of the Attorney General and Department of Public Safety.

Your Committee finds that Act 50, Session Laws of Hawaii 2012 (Act 50), was enacted to prevent a defendant from earning credit for time served for a subsequent crime while the defendant is serving a sentence of imprisonment for a separate unrelated offense. However, the Hawaii Supreme Court held in *State v. Abihai*, 146 Haw. 398, 463 P.3d 1055 (2020), that a defendant was still entitled to presentence detention credit under Hawaii law for the period of time the defendant was simultaneously being detained for a separate unrelated felony conviction and a subsequent offense. This measure will clarify the intent of

Act 50 by specifying that certain defendants may not earn credit for a sentence imposed for a subsequent conviction if the defendant was simultaneously serving the sentence of imprisonment for a separate unrelated felony conviction.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 895 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Takumi).

SCRep. 773 Judiciary & Hawaiian Affairs on H.B. No. 674

The purpose of this measure is to limit statement of information requirements for electioneering communications to noncandidate committees.

Your Committee received testimony in opposition to this measure from the Campaign Spending Commission and Common Cause Hawaii.

Your Committee finds that requiring candidates to file a statement of information within 24 hours of a candidate making an expenditure for electioneering communications in an aggregate amount of more than \$2,000 provides opponents of the candidate with an unfair advantage in terms of knowing the candidate's strategy. Although your Committee recognizes the importance of public transparency, it notes that public transparency is already assured when candidates file candidate committee reports, which includes information on expenditures made.

Your Committee additionally finds that electioneering communications by noncandidate committees can include unexpected or unsolicited information. Your Committee believes that statements of information on electioneering communications are best reserved for noncandidate committees.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 674 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Ward). Noes, none. Excused, none.

SCRep. 774 Judiciary & Hawaiian Affairs on H.B. No. 1075

The purpose of this measure is to prohibit, beginning November 1, 2022, the Lieutenant Governor, while holding the Office of the Lieutenant Governor, from maintaining any other employment, maintaining a controlling interest in a business, or receiving any emolument, beginning on the 61st calendar day after their election or appointment office.

Your Committee received testimony in support of this measure from Common Cause Hawaii. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Hawaii State Ethics Commission.

Your Committee finds that in the event of the absence of the Governor from the State, or the Governor's inability to exercise and discharge the powers and duties of the Governor's office, the powers and duties of the Governor's office devolve upon the Lieutenant Governor during the absence or disability. It is essential that the Lieutenant Governor devote their complete attention, time, and energy to the office and avoid even the appearance of a potential conflict of interest.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1075 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Tokioka). Noes, 1 (Ward). Excused, 1 (Todd).

SCRep. 775 Judiciary & Hawaiian Affairs on H.B. No. 31

The purpose of this measure is to raise the maximum age of minors for which safe storage of firearms is required from sixteen to eighteen years.

Your Committee received testimony in support of this measure from Valley Isle Sport Shooters and six individuals. Your Committee received testimony in opposition to this measure from the National Rifle Association, Hawaii Firearms Coalition, Pu'uloa Rifle and Pistol Club, Hawaii Rifle Association, and numerous individuals. Your Committee received comments on this measure from the Department of Public Safety and one individual.

Your Committee finds that an estimated 4,600,000 children and adolescents in the United States live in homes with at least one unsecured firearm and that the presence of unsecured firearms in the home increases the risk of unintentional and intentional shootings. Furthermore, the United States Secret Service and the United States Department of Education report that in sixty-eight percent of deadly school shootings, the attacker obtained the firearm from the attacker's home or that of a relative. In addition, over seventy-five percent of firearms used in suicide attempts and unintentional firearm injuries among children and adolescents were stored in the residence of the victim, a relative, or a friend.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 31 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (D. Kobayashi, McKelvey). Noes, 2 (Tokioka, Ward). Excused, 1 (Todd).

SCRep. 776 Judiciary & Hawaiian Affairs on H.B. No. 1339

The purpose of this measure is to establish requirements for instituting impeachment proceedings and grounds for impeachment of the Governor or Lieutenant Governor.

Your Committee did not receive any testimony on this measure.

Your Committee finds that the process by which a Governor or Lieutenant Governor may be removed from office should be clearly articulated and transparent. Your Committee further finds that it is prudent for the Governor, Lieutenant Governor, and Legislature to know the ground rules for such a process before any specific circumstance arises that creates an immediate need for it.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1339 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Ward). Noes, 1 (Tokioka). Excused, 2 (Lowen, Todd).

SCRep. 777 Water & Land/Judiciary & Hawaiian Affairs on H.R. No. 33

The purpose of this measure to convene a working group to develop recommendations for a governance and management structure for Mauna Kea.

Your Committees received testimony in support of this measure from the Hawaiian Civic Club of Hilo and three individuals. Your Committees received testimony in opposition to this measure from Ka Lāhui Hawai'i Kōmike Kalai'āina, Ho'opae Pono Peace Project, and numerous individuals. Your Committees received comments on this measure from the University of Hawai'i System, Department of Land and Natural Resources, Office of Hawaiian Affairs, Maunakea Observatories, East Asian Observatory, Chamber of Commerce Hawaii, Hawai'i Island Chamber of Commerce, Kona-Kohala Chamber of Commerce, Sustainable Energy Hawaii, Hawaii Island Economic Development Board, Japanese Chamber of Commerce and Industry of Hawaii, and two individuals.

Your Committees find that under the Hawaii State Constitution, the State holds public land as a public trust for Native Hawaiians and the general public. Your Committees further find that Mauna Kea is public land that is included in the public land trust and has been under the management of the University of Hawaii since 1968.

Your Committees also find that the Independent Evaluation of the Implementation of the Mauna Kea Comprehensive Management Plan, prepared for the Department of Land and Natural Resources by Ku'iwalu and published in December 2020, concluded that while the University of Hawaii has effectively implemented most of the management actions related to protecting the natural and cultural resources, the management actions designed to respect the Hawaiian cultural practices and resources and conduct education and outreach that were intended to restore trust between the University of Hawaii and the Native Hawaiian community have not been effectively implemented. The report also found that the lack of genuine consultation with the Native Hawaiian community has resulted in greater mistrust of the University of Hawaii and management of Mauna Kea, leading to polarizing viewpoints between various stakeholders on Mauna Kea and in our communities. This measure seeks to reconcile this mismanagement, mistrust, and polarization by convening a working group to develop recommendations, building on the findings of the Independent Evaluation of the Implementation of the Mauna Kea Comprehensive Management Plan, for a new governance and management structure for Mauna Kea that collaboratively engages with all stakeholders, particularly the Native Hawaiian community.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Water & Land and Judiciary & Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 33, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 33, H.D. 1.

Signed by the Chairs on behalf of the Committees.

Water & Land: Ayes, 5; Ayes with Reservations (Ganaden). Noes, none. Excused, 3 (Kong, Ohno, McDermott).

Judiciary & Hawaiian Affairs: Ayes, 9; Ayes with Reservations (McKelvey, Takumi). Noes, 2 (D. Kobayashi, Ward). Excused, 1 (Ichiyama).

SCRep. 778 Water & Land/Judiciary & Hawaiian Affairs on H.C.R. No. 41

The purpose of this measure to convene a working group to develop recommendations for a governance and management structure for Mauna Kea.

Your Committees received testimony in support of this measure from the Hawaiian Civic Club of Kohala and three individuals. Your Committees received testimony in opposition to this measure from Ka Lāhui Hawai'i Kōmike Kalai'āina, Ho'opae Pono Peace Project, and nine individuals. Your Committees received comments on this measure from the University of Hawai'i System, Department of Land and Natural Resources, Office of Hawaiian Affairs, Maunakea Observatories, East Asian Observatory, Chamber of Commerce Hawaii, Hawai'i Island Chamber of Commerce, Kona-Kohala Chamber of Commerce, Hawaii Island Economic Development Board, Japanese Chamber of Commerce and Industry of Hawaii, and two individuals.

Your Committees find that under the Hawaii State Constitution, the State holds public land as a public trust for Native Hawaiians and the general public. Your Committees further find that Mauna Kea is public land that is included in the public land trust and has been under the management of the University of Hawaii since 1968.

Your Committees also find that the Independent Evaluation of the Implementation of the Mauna Kea Comprehensive Management Plan, prepared for the Department of Land and Natural Resources by Ku'iwalu and published in December 2020, concluded that while the University of Hawaii has effectively implemented most of the management actions related to protecting the natural and cultural resources, the management actions designed to respect the Hawaiian cultural practices and resources and conduct education and outreach that were intended to restore trust between the University of Hawaii and the Native Hawaiian community have not been effectively implemented. The report also found that the lack of genuine consultation with the Native Hawaiian community has resulted in greater mistrust of the University of Hawaii and management of Mauna Kea, leading to polarizing viewpoints between various stakeholders on Mauna Kea and in our communities. This measure seeks to reconcile this mismanagement, mistrust, and polarization by convening a working group to develop recommendations, building on the findings of the Independent Evaluation of the Implementation of the Mauna Kea Comprehensive Management Plan, for a new governance and management structure for Mauna Kea that collaboratively engages with all stakeholders, particularly the Native Hawaiian community.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Water & Land and Judiciary & Hawaiian 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 its adoption in the form attached hereto as H.C.R. No. 41, H.D. 1.

Signed by the Chairs on behalf of the Committees.

Water & Land: Ayes, 5; Ayes with Reservations (Ganaden). Noes, none. Excused, 3 (Kong, Ohno, McDermott).

Judiciary & Hawaiian Affairs: Ayes, 9; Ayes with Reservations (McKelvey, Takumi). Noes, 2 (D. Kobayashi, Ward). Excused, 1 (Ichiyama).

SCRep. 779 Finance on H.B. No. 1193

The purpose of this measure is to appropriate funds for capital improvement projects relating to the State Archives and Iolani Palace.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services; The Friends of Iolani Palace; Oahu Economic Development Board; Aloha State Services, Ltd.; Historic Hawai'i Foundation; and six individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

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.B. No. 1193, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 780 Finance on H.B. No. 296

The purpose of this measure is to:

- (1) Restrict the use of leaf blowers in the Waikiki Special Improvement District to a limited time of day when operating leaf blowers within a residential zone or near a residence; and
- (2) Limit the permitted noise level for the operation of a leaf blower within such limited time to eighty decibels.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Waikiki Neighborhood Board.

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.B. No. 296, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Nishimoto).

SCRep. 781 Finance on H.B. No. 1056

The purpose of this measure is to promote efficiency in motor carrier vehicle inspections while still allowing for public input by authorizing the Director of Transportation to adopt administrative rules to:

- (1) Administer and enforce motor carrier vehicle safety inspections; and
- (2) Amend the fees associated with motor carrier vehicle safety inspections.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received testimony in opposition to this measure from the Hawaii Transportation Association.

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.B. No. 1056, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (McDermott). Noes, none. Excused, none.

SCRep. 782 Finance on H.B. No. 502

The purpose of this measure is to authorize the counties to determine the appropriateness of allowing dwellings on each quarter acre, rather than half-acre, of lands in rural districts; provided that the dwellings are consistent with the county general plan and community development plans.

Your Committee received testimony in support of this measure from the Hawai'i Association of REALTORS. Your Committee received comments on this measure from the Department of Agriculture.

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.B. No. 502, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (Perruso). Noes, none. Excused, 1 (Nishimoto).

SCRep. 783 Finance on H.B. No. 812

The purpose of this measure is to require and appropriate funds to the Department of Education to establish a three-year pilot program to develop a trauma-informed education program in the Castle, Kailua, and Kalaheo complex areas and submit a report to the Legislature on the progress and results of the pilot program.

Your Committee received testimony in support of this measure from the Hawaii Substance Abuse Coalition, HawaiiKidsCAN, Democratic Party of Hawai'i Education Caucus, Hawai'i Primary Care Association, Hale Kipa, and one individual. Your Committee received comments on this measure from 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 is in accord with the intent and purpose of H.B. No. 812, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 784 Finance on H.B. No. 1078

The purpose of this measure is to require:

- (1) By August 1, 2021, the Board of Education to meet with alumni, student, and parent representatives of the Hawaii School for the Deaf and Blind, other members of the Hawaii deaf community, and representatives of the Department of Education on progress to convert the Hawaii School for the Deaf and Blind to a charter school and to discuss other alternatives;
- (2) By October 1, 2021, the Department of Education to develop an implementation plan to transition the Hawaii School for the Deaf and Blind to a conversion charter school; and
- (3) Conversion charter schools to enroll any student whose individualized education program prescribes that the conversion charter school provides support for blind, deaf, or hard of hearing students.

Your Committee received testimony in support of this measure from the Maui Deaf Friends and eight individuals. Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received comments on this measure from the Department of Education and State Public Charter School Commission.

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.B. No. 1078, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Perruso, McDermott).

SCRep. 785 Finance on H.B. No. 1291

The purpose of this measure is to allow applicants for the University of Hawaii and students enrolled at a community college campus of the University of Hawaii who graduated from a public high school in the State with a cumulative grade point average of 3.0 and qualified for and received special education services for two or more years during enrollment in grades kindergarten through twelve to be eligible for the Hawaii State Scholars Program and the Hawaii Community College Promise Program, respectively.

Your Committee received testimony in support of this measure from six individuals. Your Committee received comments on this measure from the University of Hawai'i System.

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.B. No. 1291, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 786 Finance on H.B. No. 328

The purpose of this measure is to:

- (1) Allow for the installation of certain energy-efficient technologies on privately-owned single-family residential dwellings or townhouses, with limited restrictions; and
- (2) Require private entities to review and, if necessary, modify rules no later than December 31, 2022, to allow for the placement of energy-efficient technologies.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, 350Hawaii.org, Environmental Caucus and Human Environmental Impacts Committee of the Democratic Party of Hawai'i, Hawai'i Energy, and eleven individuals. Your Committee received testimony in opposition to this measure from the Hawaii Chapter of the Community Associations Institute, Legislative Action Committee.

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.B. No. 328, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 787 Finance on H.B. No. 1318

The purpose of this measure is to:

- (1) Establish the Environmental Advisory Council;
- (2) Repeal provisions relating to the Office of Environmental Quality Control and Environmental Center;
- (3) Transfer the rights, powers, employees, appropriations, and other personal property from the Office of Environmental Quality Control to the Office of Planning; and
- (4) Amend an applicant's ability to appeal nonacceptance of an environmental impact statement from the Environmental Council to the Environmental Advisory Council.

Your Committee received testimony in support of this measure from the Office of Environmental Quality Control and one individual. Your Committee received comments on this measure from the Office of Planning.

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.B. No. 1318, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (McDermott). Noes, none. Excused, none.

SCRep. 788 Finance on H.B. No. 1333

The purpose of this measure is to require and appropriate funds for the Hawaii State Energy Office, in consultation with the Department of Health, to conduct a comprehensive study to determine best practices for disposal and recycling of discarded clean energy products in the State.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Hawaii State Energy Office.

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.B. No. 1333, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 789 Finance on H.B. No. 58

The purpose of this measure is to help the State address its current budgetary shortfall, caused by the COVID-19 pandemic, by:

- (1) Temporarily reallocating conveyance tax revenues to pay the principal and interest of general obligation bonds; and
- (2) Authorizing the issuance of general obligation bonds to be appropriated into and out of the Land Conservation Fund and Rental Housing Revolving Fund.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation. Your Committee received testimony in opposition to this measure from the Trust for Public Land, Kua'āina Ulu 'Auamo, Conservation Council for Hawai'i, Nā Kālai Wa'a, Hawai'i Land Trust, Livable Hawaii Kai Hui, Maunalua Fishpond Heritage Center, Hi'ipaka LLC, and two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Budget and Finance, and 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 is in accord with the intent and purpose of H.B. No. 58, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 790 Finance on H.B. No. 1149

The purpose of this measure is to reorganize and integrate the Land Use Commission within a modified Office of Planning, to be renamed the Office of Planning and Sustainable Development.

Your Committee received testimony in support of this measure from the Land Use Commission. Your Committee received comments on this measure from the Office of Planning.

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.B. No. 1149, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 791 Finance on H.B. No. 1067

The purpose of this measure is to permanently establish the authority of the University of Hawaii President to act as the Chief Procurement Officer for the University of Hawaii for procurement contracts under the Hawaii Public Procurement Code.

Your Committee received testimony in support of this measure from the University of Hawaii'i System and General Contractors Association of Hawaii. Your Committee received comments on this measure from the State Procurement Office.

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.B. No. 1067, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (Nishimoto).

SCRep. 792 Finance on H.B. No. 1069

The purpose of this measure is to change the reporting requirement to the Legislature on monies in the Hawaii Cancer Research Special Fund from a semi-annual report to an annual report.

Your Committee received testimony in support of this measure from the University of Hawaii'i Cancer Center. Your Committee received comments on this measure from one individual.

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.B. No. 1069, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13; Ayes with Reservations (Tam). Noes, 1 (Perruso). Excused, 1 (Nishimoto).

SCRep. 793 Finance on H.B. No. 1072

The purpose of this measure is to repeal the requirements established by Act 236, Session Laws of Hawaii 2015, which required:

- (1) Each University of Hawaii campus to prepare an operations plan to be reviewed by the President, Vice President for Budget and Finance, and Chief Financial Officer of the University of Hawaii; and
- (2) Monies in the University of Hawaii Tuition and Fees Special Fund for each University of Hawaii campus to lapse to the credit of program identification number UOH900, University of Hawaii system wide support.

Your Committee received testimony in support of this measure from the University of Hawaii'i System and one individual.

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.B. No. 1072, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (Nishimoto).

SCRep. 794 Finance on H.B. No. 443

The purpose of this measure is to require the Department of Education to conduct a comprehensive cost analysis of the Department's food services and student meal programs to make recommendations regarding the ways in which the Department can increase the use of locally grown agricultural products and report to the Legislature on its results.

Your Committee received testimony in support of this measure from the Hawaii'i Primary Care Association; Hawaii'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; Farm to Keiki; Malama Kaua'i; Local Food Coalition; Ulupono Initiative; Land Use Research Foundation of Hawaii; Blue Zones Project; Hawaii'i Alliance for Progressive Action; Hawaii'i Public Health Institute; and nine individuals. Your Committee received comments on this measure from the Department of Education and Department of Agriculture.

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.B. No. 443, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (Nishimoto).

SCRep. 795 Finance on H.B. No. 702

The purpose of this measure is to facilitate the increase of locally grown and raised food products from Hawaii farmers, ranchers, and food producers and allow school complexes to regionalize their menus by requiring the Department of Education to establish rules for the procurement of goods and services related to the administration of food programs at public schools that incorporate a geographic preference for unprocessed locally grown and locally raised agricultural products.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Hawai'i Primary Care Association; Hawai'i Farm Bureau; Kanaeokana; Hawaii Cattlemen's Council, Inc.; Hawaii Food Industry Association; Hawaii Meats, LLC; Malama Kaua'i; Local Food Coalition; Ulupono Initiative; Land Use Research Foundation of Hawaii; FoodCorps Hawai'i; Blue Zones Project; Hawai'i Alliance for Progress Action; Hawai'i Public Health Institute; and twelve individuals. Your Committee received comments on this measure from the Department of Education and Department of Agriculture.

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.B. No. 702, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Nishimoto).

SCRep. 796 Finance on H.B. No. 337

The purpose of this measure is to:

- (1) Require the language and meaning of any proposed constitutional amendment and ratification question to be simple, concise, and direct to the extent practicable;
- (2) Allow the presiding officers of the Legislature to request a written opinion of the Supreme Court regarding the legality of a proposed amendment to the Hawaii State Constitution and the corresponding constitutional ratification question;
- (3) Require the Court to provide a written opinion within forty-eight hours of receipt of the request;
- (4) Require, for any written opinion by the Court that invalidates a constitutional ratification question, a detailed and specific explanation of the reasons for this opinion; and
- (5) Prohibit any appeal of a written opinion.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association and one individual. Your Committee received comments on this measure from the Judiciary.

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.B. No. 337, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Nishimoto).

SCRep. 797 Finance on H.B. No. 340

The purpose of this measure is to propose an amendment to the Hawaii State Constitution to require the Judicial Selection Commission to be guided by principles of merit in the selection of judicial nominations and the retention of judges and justices.

Your Committee received testimony in support of this measure from the Judicial Selection Commission Steering Committee. Your Committee received comments on this measure from the Judiciary and Judicial Selection Commission.

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.B. No. 340 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Nishimoto).

SCRep. 798 Finance on H.B. No. 357

The purpose of this measure is to establish a two-year statute of limitations for all actions for inverse condemnation against the State, including a claim brought under article I, section 20 of the Hawaii State Constitution.

Your Committee received testimony in support of this measure from the Department of the Attorney General.

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.B. No. 357, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Nishimoto).

SCRep. 799 Finance on H.B. No. 1009

The purpose of this measure is to:

- (1) Amend the additional fines and costs for destroying or harvesting trees or tree products, including koa, on state forest reserves lands;
- (2) Establish penalties for any person who violates vehicular parking or traffic movement rules adopted by the Department of Land and Natural Resources under forest reserves, water development, and zoning laws;
- (3) Authorize the State to pursue civil legal action and criminal action against a person violating forest reserves, water development, and zoning laws and rules;
- (4) Establish criminal penalties for violations of all forest reserves laws or rules; and
- (5) Repeal the general penalty provision for violations of certain forestry and wildlife, recreation areas, and fire protection laws and rules.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

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.B. No. 1009, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (McDermott). Noes, none. Excused, 1 (Nishimoto).

SCRep. 800 Finance on H.B. No. 310

The purpose of this measure is to:

- (1) Amend the definition of "imminently dangerous to self or others";
- (2) Authorize the involuntary treatment of up to thirty days of certain patients subject to emergency hospitalization; and
- (3) Require the assessment of certain patients subject to emergency hospitalization to determine if a surrogate or guardian needs to be appointed to make appropriate health care decisions for the patient.

Your Committee received testimony in support of this measure from the Hawai'i Substance Abuse Coalition; The Institute for Human Services, Inc.; and three individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Health, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii Disability Rights Center, Hawai'i Psychological Association, and The Queen's Health Systems.

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.B. No. 310, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 801 Finance on H.B. No. 541

The purpose of this measure is to:

- (1) Establish the State Payor Committee to implement a unified framework for tracking, coordinating, and guiding the purchase of behavioral health or substance abuse services across the continuum of care;
- (2) Require executive state agencies and programs that purchase behavioral health- or substance abuse-related social services to coordinate with the State Payor Committee and consider the recommendations and payor framework of the State Payor Committee when purchasing the services; and
- (3) Require community or private organizations that purchase services for behavioral health or substance abuse, at the request of any state funding agency, to disclose the source of any other governmental level funding the organizations receive for performing the services.

Your Committee received testimony in support of this measure from the Mayor of the County of Maui. Your Committee received testimony in opposition to this measure from PHOCUSED. Your Committee received comments on this measure from the Department of Human Services, Department of Health, State Procurement Office, The Queen's Health Systems, and Hawaii Substance Abuse Coalition.

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.B. No. 541, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (Perruso). Noes, none. Excused, 1 (Nishimoto).

SCRep. 802 Finance on H.B. No. 718

The purpose of this measure is to require the Department of Human Services to compile data and identify the fifty employers having the highest number of employees who were recipients of public assistance during the previous fiscal year.

Your Committee received comments on this measure from the Department of Human Services, Department of Labor and Industrial Relations, and Civil Beat Law Center for the Public Interest.

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.B. No. 718, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Nishimoto).

SCRep. 803 Finance on H.B. No. 986

The purpose of this measure is to require the results of diagnostic audiologic evaluations of infants who do not pass the hearing screening test or are diagnosed as deaf or hard of hearing up to the age of three years to be reported to the Department of Health.

Your Committee received testimony in support of this measure from the Department of Health, Disability and Communication Access Board, State Council on Developmental Disabilities, Executive Office on Early Learning, Hawaii Children's Action Network Speaks!, Hawai'i Early Intervention Coordinating Council, Early Childhood Action Strategy, and Hawai'i Speech-Language Hearing Association.

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.B. No. 986, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Nishimoto).

SCRep. 804 Finance on H.B. No. 987

The purpose of this measure is to amend the Hearing and Vision Program law to increase the early identification of children with hearing or vision loss, by establishing consistent protocols for hearing and vision screening and follow up, screener training, and data collection for quality improvement.

Your Committee received testimony in support of this measure from the Department of Health, State Council on Developmental Disabilities, Executive Office on Early Learning, Hawaii Children's Action Network Speaks!, Hawai'i Early Intervention Coordinating Council, Early Childhood Action Strategy, and Hawai'i Speech-Language Hearing Association.

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.B. No. 987, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Nishimoto).

SCRep. 805 Finance on H.B. No. 424

The purpose of this measure is to require all agencies of the State, when renting a vehicle on behalf of a state employee conducting official government business, to adopt a preference for renting electric vehicles or hybrid vehicles.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Kauai Climate Action Coalition, Climate Protectors Hawaii, Hawaii Electric Vehicle Association, Our Revolution Hawaii, Hawaiian Electric Company, and numerous individuals. Your Committee received comments on this measure by Enterprise Holdings.

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.B. No. 424, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 806 Finance on H.B. No. 531

The purpose of this measure is to:

- (1) Require that a state contract for the purchase of produce include an option for the contractor supplying the produce to lease state agricultural land; and
- (2) Establish a process for the College of Tropical Agriculture and Human Resources of the University of Hawaii to identify appropriate land that may be leased to the contractor to grow the produce.

Your Committee received testimony in opposition to this measure from the Department of Agriculture and State Procurement Office. Your Committee received comments on this measure from the Hawaii Farm Bureau.

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.B. No. 531, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (B. Kobayashi, Marten, Perruso). Noes, none. Excused, 1 (Eli).

SCRep. 807 Finance on H.B. No. 930

The purpose of this measure is to exempt certain types of specific alternative investment fund information from the public records disclosure requirements of Chapter 92F, Hawaii Revised Statutes, because the disclosure of such information would put the Employees' Retirement System at a competitive disadvantage and frustrate its legitimate government function.

Your Committee received testimony in support of this measure from the Board of Trustees of the Employees' Retirement System. Your Committee received testimony in opposition to this measure from the Civil Beat Law Center for the Public Interest. Your Committee received comments on this measure from the Office of Information Practices.

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.B. No. 930, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Tam). Noes, 2 (Perruso, Wildberger). Excused, 1 (Nishimoto).

SCRep. 808 Finance on H.B. No. 931

The purpose of this measure is to clarify the Employees' Retirement System's eligibility requirement definitions for service-connected disability retirement and accidental death benefits.

Your Committee received testimony in support of this measure from the Board of Trustees of the Employees' Retirement System.

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.B. No. 931, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Nishimoto).

SCRep. 809 Finance on H.B. No. 1059

The purpose of this measure is to repeal certain obsolete or unnecessary statutes, which include the Transportation Improvement Special Fund, Kewalo Basin and Honolulu Harbor use permits, and fireboat maintenance requirements.

Your Committee received testimony in support of this measure from the Department of Transportation.

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.B. No. 1059 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 810 Finance on H.B. No. 1081

The purpose of this measure is to improve equitable access to safe sidewalk networks by requiring the Department of Transportation and each county's transportation department to create and maintain a priority list of sidewalk installation and improvement projects and publish the priority list on their respective websites.

Your Committee received testimony in support of this measure from the Hawaii Bicycling League, Waikiki Neighborhood Board, and one individual. Your Committee received comments on this measure from the Department of Transportation.

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.B. No. 1081, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 811 Finance on H.B. No. 1130

The purpose of this measure is to:

- (1) Require the Office of Planning to hire a contractor to, among other things, identify and assess alternative financing, project delivery, and cost recovery mechanisms to recapture the State's upfront investment in transit-oriented development infrastructure;
- (2) Require the contractor to consult with representatives of certain governmental entities in conducting the study;
- (3) Require the Office of Planning to report to the Legislature on its findings and recommendations; and
- (4) Authorize the issuance of general obligation bonds.

Your Committee received testimony in support of this measure from the Hawaii Interagency Council for Transit-Oriented Development. Your Committee received comments on this measure from the Office of Planning.

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.B. No. 1130, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Nishimoto).

SCRep. 812 Finance on H.B. No. 434

The purpose of this measure is to establish a non-commercial aircraft landing fee and non-commercial aircraft storage fee and direct the proceeds into the Airport Revenue Fund.

Your Committee received testimony in opposition to this measure from the Airports Division of the Department of Transportation and one individual.

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.B. No. 434, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, McDermott).

SCRep. 813 Finance on H.B. No. 485

The purpose of this measure is to amend the amount of the rental motor vehicle surcharge tax from \$5 to an unspecified amount.

Your Committee received testimony in opposition to this measure from the Avis Budget Group and Enterprise Holdings. Your Committee received comments on this measure from the Department of Taxation, Department of Transportation, Tax Foundation of Hawaii, and Grassroot Institute 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 is in accord with the intent and purpose of H.B. No. 485, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, McDermott).

SCRep. 814 Finance on H.B. No. 510

The purpose of this measure is to provide relief to low-income persons by establishing a vehicle registration fee tax credit for individuals who are eligible for a refundable food/excise tax credit greater than \$0.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received comments on this measure from the Department of Taxation and 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 is in accord with the intent and purpose of H.B. No. 510, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, McDermott).

SCRep. 815 Finance on H.B. No. 598

The purpose of this measure is to:

- (1) Establish the offense of unlawful shipment of tobacco products;
- (2) Increase the license fee for persons engaged as a wholesaler or dealer of cigarettes and tobacco products;
- (3) Increase the retail tobacco permit fee for retailers engaged in the retail sale of cigarettes and tobacco products;
- (4) Allocate a portion of funds collected from excise taxes on tobacco products to health education and prevention programs concerning the risks and dangers of the use of electronic smoking devices for youth; and
- (5) Repeal various statutory provisions relating to electronic smoking devices.

Your Committee received testimony in support of this measure from the Hawaii Dental Association, Hawaii Substance Abuse Coalition, Blue Zones Project, and two individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii, American Vaping Association, VOLCANO Vape Shops, Hawaii Smokers Alliance, Namaste Vapors, Americans for Tax Reform, and numerous individuals. Your Committee received comments on this measure from the Department of Taxation, Department of Health, Department of the Attorney General, American Heart Association, Hawaii State Teachers Association, Hawaii Food Industry Association, Tax Foundation of Hawaii, AlohaCare, Coalition for a Tobacco-Free Hawai'i, American Cancer Society Cancer Action Network, American Lung Association in Hawaii, Hawaii Petroleum Marketers Association, and eleven individuals.

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.B. No. 598, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, McDermott).

SCRep. 816 Finance on H.B. No. 766

The purpose of this measure is to authorize the Department of Transportation to assess, impose, levy, and collect impact fees for capital costs relating to the development of state highway improvements when the Department determines that a privately owned roadway that connects to a state highway and is commonly used by the public is a substantial danger to the public health and safety.

Your Committee did not receive testimony on 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 is in accord with the intent and purpose of H.B. No. 766, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, McDermott).

SCRep. 817 Finance on H.B. No. 824

The purpose of this measure is to require certain carriers or persons that transport liquor from outside the State for delivery in the State to prepare and file a monthly report with each county liquor commission or county liquor control adjudication board.

Your Committee received testimony in support of this measure from the Hawaii Liquor Wholesalers Association.

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.B. No. 824, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, McDermott).

SCRep. 818 Finance on H.B. No. 1321

The purpose of this measure is to require and appropriate funds for the Department of Transportation or appropriate county agency to post depth gauge signs on public highways in a manner consistent with the Federal Highway Administration's Manual on Uniform Traffic Control Devices.

Your Committee received testimony in support of this measure from the Department of Transportation.

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.B. No. 1321, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, McDermott).

SCRep. 819 Finance on H.B. No. 1174

The purpose of this measure is to:

(1) Amend the Motion Picture, Digital Media, and Film Production Income Tax Credit by:

- (A) Reducing the cap amount and aggregate cap amount of the tax credit;
- (B) Establishing a maximum amount of above-the-line costs that may be used to claim the tax credit;
- (C) Reducing the minimum amount of qualified production costs needed to claim the tax credit;
- (D) Requiring qualified production costs to be incurred through a qualified vendor; and
- (E) Requiring at least seventy-five percent of a qualified production to be filmed in the State if the taxpayer claims a tax credit in excess of \$5,000,000 in a single taxable year; and

(2) Extend the repeal date of the Motion Picture, Digital Media, and Film Production Income Tax Credit from January 1, 2026, to January 1, 2033.

Your Committee received testimony in opposition to this measure from the Honolulu Film Office, American Federation of Musicians Local 677, and one individual. Your Committee received comments on this measure from the Department of Taxation; Department of the Attorney General; Department of Business, Economic Development, and Tourism; Office of Economic Development of the County of Kaua'i; Tax Foundation of Hawaii; Motion Picture Association, Inc.; IATSE Local 665; SAG-AFTRA Hawaii Local; and one individual.

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.B. No. 1174, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13; Ayes with Reservations (McDermott). Noes, 1 (Wildberger). Excused, 1 (Eli).

SCRep. 820 Judiciary & Hawaiian Affairs on H.B. No. 775

The purpose of this measure is to rename the Kahului Airport Access Road on the island of Maui to the Mayor Elmer F. Cravalho Way.

Your Committee received testimony in support of this measure from one member of the Maui Council and four individuals. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that Mayor Elmer F. Cravalho was a prominent and influential figure in Maui's history. Mayor Cravalho held various leadership positions in the public and private sectors, having served as the first Speaker of the House of Representatives from 1959 to 1967, and then the first Mayor of Maui until July 24, 1979. Mayor Cravalho is credited for much of Maui's development, including the waterline from Wailuku to Wailea, which enabled the development of Kihei. This measure will honor Mayor Cravalho's dedication to civil service and the people of Maui by renaming the Kahului Airport Access Road the Mayor Elmer F. Cravalho Way.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 775 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Todd).

SCRep. 821 Judiciary & Hawaiian Affairs on H.B. No. 663

The purpose of this measure is to amend the manner in which members are appointed to the Game Management Advisory Commission to require appointment of members by the Governor from a lists of names submitted by the President of the Senate and the Speaker of the House of Representatives.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee notes that the Game Management Advisory Commission may, among its other duties, recommend policies and criteria regarding the management, protection, and promotion of public hunting in Hawaii and may recommend amendments to existing Department of Land and Natural Resources' policies and procedures relating to hunting. Your Committee finds that providing the President of the Senate and the Speaker of the House of Representatives with the opportunity to be involved in the selection of members of the Game Management Advisory Commission will provide the Legislature with a broader level of involvement in shaping the membership, and hence the priorities, of the Game Management Advisory Commission.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 663, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Ichiyama, Tokioka).

SCRep. 822 Judiciary & Hawaiian Affairs on H.B. No. 1029

The purpose of this measure is to repeal Act 15, Special Session Laws of Hawaii 2009, which established living park planning councils.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that Act 15, Special Session Laws of Hawaii 2009, established a living park planning council to develop a master plan for Ahupua'a 'O Kahana State Park. However, after ten years and numerous meetings, the community-based planning council could not develop the framework for a master plan for the park, and the Department of Land and Natural Resources subsequently engaged a private planning contractor to initiate the master planning process.

Your Committee further finds that a report finalized in 2019 identified three issues that needed resolution before proceeding on the master plan. To date, there have been no further discussions and no resolution of these issues. Your Committee finds that based on the lack of action on the master plan and in consideration of the limited resources and other pressing state priorities brought about by the COVID-19 pandemic, it is in the public interest to repeal Act 15, Special Session Laws of Hawaii 2009.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1029 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (LoPresti, Tokioka, Ward).

SCRep. 823 Judiciary & Hawaiian Affairs on H.B. No. 1105

The purpose of this measure is to amend the appointing authorities and qualifications of members to the Candidate Advisory Council for the Board of Regents of the University of Hawaii and adjust member term limits.

Your Committee received testimony in support of this measure from the University of Hawai'i Student Caucus, Academic Labor United, Young Progressives Demanding Action, and ten individuals. Your Committee received comments on this measure from the Association of Emeritus Regents University of Hawai'i.

Your Committee finds that the primary task for the Candidate Advisory Committee for the Board of Regents of the University of Hawaii is to recruit, evaluate, and present to the Governor qualified candidates for nomination to a vacant seat on the Board of Regents. Your Committee further finds that the Board of Regents formulates policy and exercises control over the only public institution of higher education in the State, and has exclusive jurisdiction over the internal structure, management, and operation of the university.

Your Committee believes that to ensure that the Board of Regents and its decisions reflect the diverse interests of the people of the State, the Candidate Advisory Committee should vet potential regents that reflect such diverse interests. This measure promotes the inclusion of members who reflect a greater cross-section of the community and will bring varied knowledge, experiences, and perspectives to the task of determining qualified candidates for nomination to vacant seats on the University of Hawaii Board of Regents.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1105, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Todd).

SCRep. 824 Judiciary & Hawaiian Affairs on H.B. No. 1263

The purpose of this measure is to:

- (1) Prohibit any person whose driver's license has been revoked or who has been convicted from being eligible for a driver's license without providing proof of compliance with the ignition interlock law; and
- (2) Establish a system of graduated penalties for violations of the ignition interlock law.

Your Committee received testimony in support of this measure from the Department of Transportation, Office of the Prosecuting Attorney of the County of Kaua'i, Mothers Against Drunk Driving Hawaii, Smart Start LLC, Casanova Powell Consulting, Responsibility.org, Traffic Injury Research Foundation, AAA Hawaii, Hawaii Strategic Highway Safety Plan, and one individual. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that ignition interlock devices play a direct role in preventing an individual from being a repeat offender of driving while under the influence of an intoxicant. Your Committee believes that these devices are effective at keeping roads safe and ensuring that offenders have complied with ignition interlock devices laws. This measure will protect the public from repeat offenders who put themselves and others at risk when they decide to drive under the influence of an intoxicant by expanding on the existing ignition interlock device law.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1263, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, 1 (D. Kobayashi). Excused, 3 (LoPresti, Tokioka, Ward).

SCRep. 825 Judiciary & Hawaiian Affairs on H.B. No. 1086

The purpose of this measure is to:

- (1) Provide veterinarians who provide emergency care to a sick or injured animal immunity from civil liability in the absence of gross negligence;
- (2) Provide veterinarians, who render emergency treatment when there is no veterinarian-client-patient relationship, immunity from civil liability in the absence of gross negligence; and
- (3) Require veterinarians to report events of animal injury, death, or abuse to law enforcement when there is reasonable cause to believe that the event relates to dogfighting or animal abuse, and to provide immunity from civil liability for veterinarians making these reports.

Your Committee received testimony in support of this measure from the Hawaii Board of Veterinary Medicine, Hawaiian Humane Society, Hawaii Association of Animal Welfare Agencies, Hawaii Veterinary Medical Association, Animal Interfaith Alliance in Britain, Pono Advocacy, and numerous individuals. Your Committee received comments on this measure from the Humane Society Veterinary Medical Association.

Your Committee finds that veterinarians who render aid in good faith and absent gross negligence should be permitted to use their skills to provide emergency aid to animals without the fear of civil liability. This measure increases the protection of animal health and welfare by providing the appropriate civil immunity to veterinarians.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1086, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (LoPresti, Tokioka, Ward).

SCRep. 826 Judiciary & Hawaiian Affairs on H.B. No. 282

The purpose of this measure is to expand the circumstances where a minor may consent to a no-cost emergency shelter and related services to include cases where the provider is coordinating with child welfare services.

Your Committee received testimony in support of this measure from Partners In Care, Oahu's Continuum of Care; Residential Youth Services & Empowerment; Hawaii Youth Services Network; Hawai'i Health & Harm Reduction Center; Catholic Charities Hawai'i; and one individual. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness and Department of Human Services.

Your Committee finds that youth experiencing homelessness in the State is a growing issue that needs to be addressed separately from adult and family homelessness. Your Committee further finds that programs that provide services to youths are currently prohibited from sheltering youth under the age of eighteen. As a result, homeless youth are left without a safe space to sleep at night and many often partner with older adults and end up in unlawful, exploitive situations. This measure seeks to increase access to emergency shelter for homeless youth by expanding the circumstances under which a minor may consent to no cost emergency shelter.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 282, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (LoPresti, Tokioka, Ward).

SCRep. 827 Judiciary & Hawaiian Affairs on H.B. No. 339

The purpose of this measure is to expedite the process for appealing family court orders by making the orders appealable directly to the Hawaii Supreme Court instead of the Intermediate Court of Appeals.

Your Committee received testimony in opposition to this measure from the Judiciary.

Your Committee finds that some family court cases have taken up to eight years to be resolved. Your Committee further finds that the long delays experienced by parents and children in these cases raises due process concerns. This measure will expedite the resolution of family court cases by making family court orders directly appealable to the Hawaii Supreme Court.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 339, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, 1 (Ward). Excused, 2 (Takumi, Tokioka).

SCRep. 828 Judiciary & Hawaiian Affairs on H.B. No. 1102

The purpose of this measure is to prohibit the intentional release of balloons inflated with a gas that is lighter than air.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Reef and Ocean Coalition, The Humane Society of the United States, Precious Plastics Hawai'i, Beach Environmental Awareness Campaign Hawai'i, Hawai'i Wildlife Fund, Pacific Whale Foundation, Surfrider O'ahu, thirteen individuals, and a petition with numerous individuals.

Your Committee finds that balloons inflated with a gas that is lighter than air pose a significant danger and nuisance to the environment, particularly to wildlife and marine animals who often mistake the balloons for food and ingest them, causing severe injury or death. This measure ensures the health and safety of the State's wildlife by prohibiting the release of balloons inflated with lighter-than-air gases.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1102, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (D. Kobayashi). Noes, none. Excused, 3 (LoPresti, Tokioka, Ward).

SCRep. 829 Judiciary & Hawaiian Affairs on H.B. No. 902

The purpose of this measure is to:

- (1) Exempt lands set aside by the Governor to the Hawaii Housing Finance and Development Corporation and lands leased to the Hawaii Housing Finance and Development Corporation by any state department or agency, from classification as public lands subject to Department of Land and Natural Resources management;
- (2) Require the land to be subject to legislative approval prior to the sale or gift of those lands; and
- (3) Require state department or agency lands leased or set aside to the Hawaii Housing Finance and Development Corporation that are no longer needed for housing, finance, or development, to be returned to the state department or agency that leased or approved the set aside of the lands to the Hawaii Housing Finance and Development Corporation.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development and Tourism; Hawaii Housing Finance and Development Corporation; Stanford Carr Development, LLC; and Land Use Research Foundation of Hawaii. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs, Kūpuna for the Mo'opuna, and one individual.

Your Committee finds that setting aside land for the Hawaii Housing Finance and Development Corporation will help in streamlining the development of affordable housing on state lands by reducing the number of approvals required by the Department of Land and Natural Resources.

Your Committee notes the suggested amendment offered by the Office of Hawaiian Affairs to minimally recognize and protect Native Hawaiian claims to "ceded" lands that may be subject to the broad leasing authorities of the Hawaii Housing Finance and Development Corporation.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 902, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, 1 (D. Kobayashi). Excused, 3 (LoPresti, Tokioka, Ward).

SCRep. 830 Finance on H.B. No. 103

The purpose of this measure is to:

- (1) Clarify that the powers granted for emergency purposes shall not be inconsistent with the Hawaii State Constitution;
- (2) Provide parameters for the duration of suspension of laws and require justification for the suspension;
- (3) Provide for the termination or extension of a proclamation of a state of emergency; and
- (4) Allow a separate proclamation arising from the same emergency or disaster as a previous proclamation that expired, upon request of the Governor and adoption of a concurrent resolution by the Legislature.

Your Committee received testimony in support of this measure from one member of the Kaua'i County Council; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii Emergency Management Agency, Maui Chamber of Commerce, and four individuals. Your Committee received comments on this measure from Common Cause Hawaii, League of Women Voters, and The Heartland Institute.

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.B. No. 103, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 831 Finance on H.B. No. 273

The purpose of this measure is to authorize the Director of Transportation to adopt emergency rules to allow for license renewals to be completed by mail or online.

Your Committee received comments on this measure from the Department of Transportation.

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.B. No. 273, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 832 Finance on H.B. No. 572

The purpose of this measure is to:

- (1) Specify that the Hawaii Emergency Management Agency is administratively attached to, rather than established within, the Department of Defense;
- (2) Make the Administrator of Hawaii Emergency Management Agency the Director of the Hawaii Emergency Management Agency and require the Administrator to report directly to the Governor; and
- (3) Require the Governor, rather than the Director of the Hawaii Emergency Management Agency, to appoint the Administrator of the Hawaii Emergency Management Agency.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Hawaii Emergency Management Agency.

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.B. No. 572, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 833 Finance on H.B. No. 573

The purpose of this measure is to:

- (1) Require the Joint Legislative Budget Committee, under certain circumstances, to convene and make recommendations to the Legislature regarding federal funds;
- (2) Provide the Legislature with the opportunity to convene in special session in accordance to the Constitution to act on the recommendations or, if the Legislature does not convene in special session, otherwise authorizes the Governor to expend federal funds pursuant to the Governor's emergency powers;
- (3) Appropriate federal funds for COVID-19 response; and
- (4) Require funding of certain programs to be paid for from a county's share of federal funds.

Your Committee received testimony in opposition to this measure from the Mayor of the County of Maui.

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.B. No. 573, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 834 Finance on H.B. No. 723

The purpose of this measure is to authorize the use of funds received from the Coronavirus Aid, Relief, and Economic Security Act for the purchase and distribution of personal protective equipment and industrial hygiene projects to state departments and attached agencies.

Your Committee received testimony in support of this measure from the State Procurement Office, Department of Health, Department of Education, Department of Defense, and Hawaii Primary Care Association. Your Committee received comments on this measure from the Department of Labor and Industrial Relations Office of Community Services.

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.B. No. 723, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 835 Finance on H.B. No. 765

The purpose of this measure is to appropriate funds for the Hawaii Emergency Management Agency to acquire mobile communications, water, and power service capabilities that can be deployed to each county as needed.

Your Committee received testimony in support of this measure from the Mayor of the County of Maui and one individual. Your Committee received comments on this measure from the Hawaii Emergency Management Agency.

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.B. No. 765, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 836 Finance on H.B. No. 825

The purpose of this measure is to specify that the Governor's emergency powers include the ability to assume control, use, or operation of any state facility at no cost or requirement of compensation.

Your Committee received testimony in opposition to this measure from the Hawaii Emergency Management Agency and one individual. Your Committee received comments on this measure from the League of Women Voters 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 is in accord with the intent and purpose of H.B. No. 825, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 837 Finance on H.B. No. 954

The purpose of this measure is to convert certain employees of the Hawaii Emergency Management Agency from civil service status to exempt status.

Your Committee received testimony in support of this measure from the Hawaii Emergency Management Agency and Hawaii State Energy Office.

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.B. No. 954, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 838 Finance on H.B. No. 1286

The purpose of this measure is to establish a statewide uniform law regarding mandatory self-quarantine rules and requirements. Specifically, this measure:

- (1) Exempts any person from post-arrival mandatory self-quarantine if the person receives a negative test result prior to arrival;
- (2) Specifies that any person who does not obtain a negative test result prior to arrival in the State will be responsible for all costs associated with that person's mandatory self-quarantine and isolation;
- (3) Authorizes the Governor to establish conditions for exemptions;
- (4) Requires certain COVID-19 tests for travelers who do not have a test result upon arrival; and

- (5) Specifies that the statewide uniform law regarding mandatory self-quarantine rules and requirements cannot be suspended except by the adoption of a concurrent resolution by the Legislature.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii; Hawai'i Farm Bureau; Hawaii Food Industry Association; Retail Merchants of Hawaii; Roberts Hawaii, Inc.; Barrel and BBQ LLC; Ala Muku Vacation Rentals; Enterprise Holdings; Kona-Kohala Chamber of Commerce; Hawai'i Lodging & Tourism Association; Sheraton Kauai Resort; Airlines for America; Napili Kai Beach Resort; Surfjack Hotel & Swim Club; Embassy Suites by Hilton Waikiki Beach Walk; Imanaka Asato; Prince Waikiki Hotel & Hawaii Prince Golf Club; Waikiki Improvement Association; Springboard Hospitality; HIGHGATE Hotels in Hawaii; The Laylow; Waikiki Resort Hotel; T S Restaurants; The Ritz-Carlton Residences, Waikiki Beach; and nine individuals. Your Committee received testimony in opposition to this measure from one member of the Maui County Council, Hawai'i Doctors Pandemic Advisory Committee, Pono Hawai'i Initiative, Maui Chamber of Commerce, and numerous individuals. Your Committee received comments on this measure from the Department of Health, Hawai'i Tourism Authority, Hawaii Emergency Management Agency, Waikiki Neighborhood Board, Hawaii Medical Service Association, Knights of Aloha, and three individuals.

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.B. No. 1286, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Marten). Noes, 3 (B. Kobayashi, Perruso, Wildberger). Excused, none.

SCRep. 839 Finance on H.B. No. 1324

The purpose of this measure is to establish a commercial rent relief grant program for owners of properties classified as commercial, hotel and resort, or industrial under county real property tax classifications, under certain circumstances.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii; Hawai'i Farm Bureau; Maui Chamber of Commerce; Suzuki Properties, LLC; Blue Ginger; Maui Brewing Co.; Eggs 'n Things; Hawai'i Association of REALTORS; HawaiiUSA Federal Credit Union; D'Vine Kailua Wine Bar; Hawai'i Lodging & Tourism Association; Hawaii Food Industry Association; NAIOP Hawaii; Hawai'i Executive Collaborative; BOMA Hawaii; Rock N Fun LLC; Retail Entertainment Concepts, Inc. dba Jungle Fun Island; Retail Merchants of Hawaii; Island Business Management Hawaii; and one individual. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Taxation; and Hawaii Bankers Association.

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.B. No. 1324, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 840 Finance on H.B. No. 432

The purpose of this measure is to extend the earned income tax credit by five additional years.

Your Committee testimony in support of this measure from Americans for Democratic Action; Hawai'i Appleseed Center for Law and Economic Justice, Hawaii Children's Action Network Speaks!; Chamber of Commerce Hawaii; and Hawai'i Public Health Institute. Your Committee received comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, and Hawai'i Budget & Policy Center.

Your Committee finds that Act 107, Session Laws of Hawaii 2017, established a nonrefundable state earned income tax credit at twenty percent of the federal earned income tax credit and is set to not apply to taxable years beginning after December 31, 2022.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

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.B. No. 432, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 432, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 841 Finance on H.B. No. 54

The purpose of this measure is to make technical amendments to the budget allotment modification law.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed H.D. 1, which amends this measure by deleting its contents and inserting language that:

- (1) Appropriates an unspecified amount for fiscal year 2020-2021, to be deposited into the Emergency and Budget Reserve Fund; and
- (2) Inserts a retroactive effective date of June 29, 2021.

Your Committee received comments on the proposed H.D. 1 from the Department of Budget and Finance.

Your Committee finds that expenditures from the Emergency and Budget Reserve Fund are a temporary supplemental source of funding for the State during times of emergency, economic downturn, or unforeseen reduction in revenues. Your Committee further finds that the proposed H.D. 1 is intended to replenish the Emergency and Budget Reserve Fund, which is a prudent step to address the current COVID-19 pandemic and ensure necessary services continue to be provided to residents of the State.

Your Committee has amended this measure by adopting the proposed H.D. 1 and further amending the measure by 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 54, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 54, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 842 Finance on H.B. No. 1

The purpose of this measure is to appropriate funds to provide for the expenses of the Legislature, Auditor, Legislative Reference Bureau, Ombudsman, and Hawaii State Ethics Commission.

Prior to decision making on this measure, your Committee made available for public review a proposed H.D. 1, which amends this measure by inserting various appropriation amounts for the expenses of the various offices of the legislative branch.

Your Committee received testimony in support of the proposed H.D. 1 from the Hawai'i State Ethics Commission, Office of the Ombudsman, Office of the Auditor, and Office of the Chief Clerk of the Hawaii House of Representatives. Your Committee received comments on the proposed H.D. 1 measure from the Legislative Reference Bureau, League of Women Voters of Hawaii, and one individual.

Your Committee finds that this measure appropriates sufficient funds to defray the necessary expenses of the Senate and House of Representatives up to June 30, 2022, including session and nonsession expenses, the legislative information system cost items, the cost of the legislative broadcasting program, and certain employee vacation payments. Your Committee further finds that this measure also appropriates sufficient funds to defray the necessary expenses of the Office of the Auditor, Legislative Reference Bureau, Office of the Ombudsman, and Hawaii State Ethics Commission for fiscal year 2021-2022.

Your Committee has amended this measure by adopting the proposed H.D. 1.

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.B. No. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 843 Finance on H.B. No. 1298

The purpose of this measure is to transfer to the general fund the unencumbered balances of various non-general funds from various state departments.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Volunteer Legal Services Hawai'i, Center for Hawaiian Sovereignty Studies, and one individual.

Your Committee received testimony in opposition to this measure from the Department of Commerce and Consumer Affairs, Judiciary, Department of Hawaiian Home Lands, Department of Agriculture, Department of Public Safety, Department of Human Resources Development, Department of Land and Natural Resources, Department of Education, Department of Defense, Department of Transportation, University of Hawai'i System, Office of Hawaiian Affairs, Hawaii State Public Library System, Office of Enterprise Technology Services, Board of Education, Stadium Authority, Hawaii Green Infrastructure Authority, Natural Energy Laboratory of Hawaii Authority, Crime Victim Compensation Commission, Statewide Automated Victim Information and Notification Governance Committee of the Crime Victim Compensation Commission, McKinley Community School for Adults, Office of the Prosecuting Attorney for the County of Hawai'i, Department of the Prosecuting Attorney for the County of Maui, Honolulu Police Department, Maui Police Department, State Foundation on Culture and the Arts, Hawai'i Tourism Authority, Hawaii Athletic Trainers' Association, Hawaii Substance Abuse Coalition, Mothers Against Drunk Driving Hawaii, PHOCUSED, Family Law Section of the Hawai'i State Bar Association, Healthcare Association of Hawaii, Appellate Section of the Hawaii State Bar Association, Hawaii Bicycling League, American Heart Association, Hawaii County Bar Association, North Shore Community Land Trust, The Sex Abuse Treatment Center, Hawaiian Islands Land Trust, Hawaii State Bar Association, Wilcox Medical Center, Peer Education Program at Aiea High School, The Trust for Public Land, Maunaloa Fishpond Heritage Center, Airlines for America, Enterprise Holdings, Conservation Council for Hawai'i, Ke Ao Hali'i, Hawai'i Pacific Health, The Queen's Health Systems, Obesity Prevention Task Force of the Hawai'i Public Health Institute, Legal Aid Society of Hawai'i, The Nature Conservancy Hawai'i, Hawai'i Access to Justice Commission, Airport Concessionaires Committee, Hope Services, Hawaii State Coalition Against Domestic Violence, Kua'āina Ulu 'Auamo, Ala Kahakai Trail Association, Hoi Mai Ka Lei I Mamo, Livable Hawaii Kai Hui, and numerous individuals.

Your Committee received comments on this measure from the Department of Taxation; Department of Labor and Industrial Relations; Department of the Attorney General; Department of Budget and Finance; Department of Health; Department of Human Services; Department of Business, Economic Development, and Tourism; Hawaii Housing Finance and Development Corporation; Hawaii State Energy Office; Public Utilities Commission; Employees' Retirement System; State Health Planning and Development Agency; Disability and Communication Access Board; Hawaii Technology Development Corporation; Hawaii Health Systems Corporation; Hawai'i State Center for Nursing; Department of the Prosecuting Attorney of the City and County of Honolulu; Catholic Charities Hawai'i; Hawaii Justice Foundation; Domestic Violence Action Center; Tax Foundation of Hawaii; The Mediation Center of the Pacific, Inc.; Parents and Children Together; Airlines Committee of Hawaii; and three individuals.

Your Committee finds that various non-general funds from the various state departments have unencumbered balances that are substantially more than is required to fund the related programs associated with these funds.

Accordingly, your Committee has amended this measure by:

- (1) Lapsing only the amounts to the general fund for various non-general funds that are either inactive or have been determined by each state department to be in excess of the requirements of the funds;
- (2) Ensuring that if this measure is signed into law after June 30, 2021, it shall retroactively take effect on that date; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1298, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1298, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 844 Finance on H.B. No. 1299

The purpose and intent of this measure is to repeal various non-general funds and transfer the unencumbered balances remaining in those funds to the general fund.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services and Center for Hawaiian Sovereignty Studies.

Your Committee received testimony in opposition to this measure from the Judiciary, Department of Commerce and Consumer Affairs, Department of Hawaiian Home Lands, Department of Human Resources Development, Department of Land and Natural Resources, Department of Agriculture, Department of Education, Department of Transportation, University of Hawaii System, Office of Hawaiian Affairs, Crime Victim Compensation Commission, State Foundation on Culture and the Arts, Enhanced 911 Board, Hawaii Tourism Authority, Natural Energy Laboratory of Hawaii Authority, Public Utilities Commission, Board of Education, Aloha Stadium, Hawaii State Public Library System, Office of Enterprise Technology Services, Hawaii Health Systems Corporation, Honolulu Police Department, Hawaii Fire Department, Hawaii Police Department, Office of the Prosecuting Attorney of the County of Hawaii, Department of the Prosecuting Attorney of the County of Maui, Maui Police Department, Healthcare Association of Hawaii, The Queen's Health Systems, Farrell & Perrault, Wilcox Medical Center, Hawaii Pacific Health, Action with Aloha LLC, Hawaii Athletic Trainers' Association, Hawaii Substance Abuse Coalition, Mothers Against Drunk Driving Hawaii, Lanai Community Health Center, Hawaii COPD Coalition, Hawaii State Rural Health Association, Hilo Medical Center Foundation, Hawaii State Bar Association, Appellate Section of the Hawaii State Bar Association, Hawaii County Bar Association, Waipahu Community School for Adults, Sex Abuse Treatment Center, American Heart Association, Hawaiian Islands Land Trust, Peer Education Program at Aiea High School, The Trust for Public Land, Maunaloa Fishpond Heritage Center, Conservation Council for Hawaii, Coalition for a Tobacco-Free Hawaii, Legal Aid Society of Hawaii, Hawaii State Center for Nursing, Hawaii Access to Justice Commission, The Nature Conservancy of Hawaii, American Cancer Society Cancer Action Network, Hope Services, DTRIC Insurance, Papa Ola Lokahi, Hawaii State Coalition Against Domestic Violence, Keiki Injury Prevention Coalition, Kuaaina Ulu Auamo, Ala Kahakai Trail Association Board, Hoi Mai Ka Lei I Mamo, Livable Hawaii Kai Hui, and numerous individuals.

Your Committee received comments on this measure from the Department of the Attorney General; Department of Taxation; Department of Labor and Industrial Relations; Department of Budget and Finance; Department of Public Safety; Department of Health; Department of Human Services; Department of Business, Economic Development, and Tourism; Hawaii Green Infrastructure Authority; Hawaii Housing Finance and Development Corporation; State Health Planning and Development Agency; Disability Communication Access Board; Hawaii State Energy Office; Hawaii Technology Development Corporation; County of Hawaii; Catholic Charities Hawaii; Volunteer Legal Services Hawaii; Hawaii Justice Foundation; Tax Foundation of Hawaii; PHOCUSED; North Shore Community Land Trust; Parents and Children Together; and two individuals.

Your Committee finds that budgetary constraints brought about by the coronavirus disease 2019 pandemic require scrutiny of all funds to determine whether the State's financial resources are being deployed effectively and efficiently. This measure repeals and abolishes various funds that no longer serve their purpose and restructures certain programs so that they may be more efficiently funded through general funds.

Your Committee has amended this measure by:

- (1) Deleting the funds that did not meet the criteria for repeal or abolishment established by the Committee; and
- (2) Adding provisions that incorporate the recommendations made by the Auditor in the Auditor's review of special funds, revolving funds, trust funds, and trust accounts in Auditor Report Nos. 19-05, 19-16, 20-01, 20-03, 20-16, 20-17, 20-18, and 21-02.

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.B. No. 1299, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1299, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 845 Consumer Protection & Commerce on H.B. No. 554

The purpose of this measure is to require sellers to include, in the mandatory residential real estate transactions disclosure statements to buyers, information about the residential real property lying within the sea level rise exposure area as designated by the Hawaii Climate Change Mitigation and Adaptation Commission or its successor.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Climate Change Mitigation & Adaptation Commission; Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu; Hawai'i Reef and Ocean Coalition; Hawaii Shore and Beach Preservation Association; Hawai'i Association of REALTORS; Imua Alliance; Surfrider Foundation – Hawai'i Region; Sierra Club of Hawai'i; and eight individuals. Your Committee received comments on this measure from the Office of Planning.

Your Committee finds that a property's vulnerability to sea level rise is a material fact for the purposes of mandatory disclosures in residential real estate sales, as it would be expected to measurably affect the value of the property. Your Committee further finds that it is critical for buyers to understand the hazards and risks they are assuming when purchasing oceanfront property, in the spirit of transparency and disclosure and to support informed decision making by buyers and government agencies.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that should this measure continue to progress through the legislative process, that the effective date of this measure is recommended to be May 1, 2022, which coincides with the release date for the Hawai'i Association of REALTORS Standard Forms.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 554, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 554, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 846 Consumer Protection & Commerce on H.B. No. 96

The purpose of this measure is to increase the maximum area for each agricultural shade cloth structure, cold frame, or greenhouse not used as a dwelling or lodging unit, that qualifies the structure for exemption from building permit and building code requirements.

Your Committee received testimony in support of this measure from the Department of Agriculture, Office of Planning, College of Tropical Agriculture and Human Resources of the University of Hawai'i at Mānoa, Hawai'i Farm Bureau, Hawaii Farming LLC, Big Island Produce Asset Holdings LLC, Aloun Farms, Ulupono Initiative, and one individual. Your Committee received comments on this measure from Hydroponics Alternatives LLC.

Your Committee finds that the COVID-19 pandemic has highlighted the need to diversify the State's economy, including the promotion of agricultural production. Your Committee further finds that certain low-risk agricultural structures -- i.e., agricultural shade cloth structures, cold frames, and greenhouses -

- are provided a limited exemption from county building permits and building code requirements. By expanding the limited exemption for these specific low-risk agricultural structures, farmers will have the ability to flex their operations for bigger and more cost-effective protective structures to shelter crops from pest infestation, extreme temperature, excessive rains, long droughts, and feral animals. The broadened exemption proposed by this measure will aid in furthering agricultural production and development in the State.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 96, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 96, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 847 Consumer Protection & Commerce on H.B. No. 125

The purpose of this measure is to establish The Uniform Employee and Student Online Privacy Protection Act, a uniform law that protects the online accounts of employees, prospective employees, job applicants, unpaid interns, independent contractors, students, and prospective students, from employers and educational institutions.

Your Committee received testimony in support of this measure from the Department of Education, Hawai'i Civil Rights Commission, and Commission to Promote Uniform Legislation.

Your Committee finds that online accounts, including social media accounts, electronic mail, and trading and banking accounts, contain sensitive personal information. Your Committee further finds that, where online accounts are not associated with, managed by, or in any other manner connected with an individual's educational institution or employer, the educational institution or employer should be prevented from using its authority to leverage access to these online accounts. Your Committee finds, however, that there are exceptional situations in which online accounts may have information to further compelling interests. This measure provides necessary protections to individual's private information while allowing for very narrow and justified exceptions.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 125, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 848 Consumer Protection & Commerce on H.B. No. 542

The purpose of this measure is to remove the prescription drug Epidiolex and approved generic versions of that drug that contain cannabidiol derived from cannabis and no more than 0.1 percent (w/w) residual tetrahydrocannabinols from schedule V of the Uniform Controlled Substances Act.

Your Committee received testimony in support of this measure from Greenwich Biosciences and one individual.

Your Committee finds that the Agriculture Improvement Act of 2018 (P.L. 115-334), modified the regulatory controls over cannabis, tetrahydrocannabinols, and other cannabis-related constituents in the federal Controlled Substances Act. In April 2020, the United States Drug Enforcement Agency notified the manufacturer of Epidiolex of its removal from the federal schedule V and officially removed its designation through an interim final rule issued in August 2020. This measure is necessary to conform the Uniform Controlled Substances Act with the federal treatment of Epidiolex and approved generic versions of that drug.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 542, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 542, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 849 Consumer Protection & Commerce on H.B. No. 593

The purpose of this measure is to expand the definition of "beer" to specify an alcohol by volume of no less than 0.5 percent and to include alcoholic seltzer beverages.

Your Committee received testimony in support of this measure from Beer Lab HI, Honolulu Beerworks, Maui Brewing Co., Lanikai Brewing Company, and Hawaiian Craft Brewers Guild. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the existing statutory definition of "beer" follows the traditional basic ingredients used in historical beer manufacturing. However, this definition does not adequately reflect the expansion of the craft beer manufacturing sector and is not in alignment with the federal definition. This measure will alleviate these inconsistencies.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 593, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 850 Finance on H.B. No. 237

The purpose of this measure is to appropriate funds to the Department of Agriculture for the mitigation and control of the two-lined spittlebug and to fund recovery efforts.

Your Committee received testimony in support of this measure from the University of Hawai'i System; Big Island Invasive Species Committee; Hawaii Farm Bureau; McCandless Ranch; Land Use Research Foundation of Hawaii; Ponoholo Ranch Limited; Larry Jefts Farms, LLC; Hawaii Meats LLC; Ulupono Initiative; Ulupalakua Ranch; Hawaii Cattlemen's Council, Inc.; Local Food Coalition; Haleakala Ranch; Peter De Luz Ranch, LLC; New Island Feed, Inc.;

Kealia Ranch; Rocker G Livestock; Maui Cattlemen's Association; Parker Ranch, Inc.; and ten individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 237, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 237, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 851 Judiciary & Hawaiian Affairs on H.B. No. 756

The purpose of this measure is to re-designate one of the at-large positions on the Board of Agriculture as an ex officio position to be filled by the Chairperson of the Hawaiian Homes Commission.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs and Department of Hawaiian Home Lands. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that the interests of agricultural lessees of Hawaiian homesteads should be represented on the Board of Agriculture in a way that does not establish precedent for other stakeholder groups to request expansion of the Board and compromise its ability to govern efficiently.

Your Committee has amended this measure by:

- (1) Designating one of the at-large positions on the Board of Agriculture as the Chairperson of the Hawaiian Homes Commission; and
- (2) Inserting a sunset date of June 30, 2024.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 756, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 756, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (LoPresti, Tokioka, Ward).

SCRep. 852 Judiciary & Hawaiian Affairs on H.B. No. 416

The purpose of this measure is to:

- (1) Amend the offense of cruelty to animals in the second degree to prohibit certain restraints and tethers that endanger or deny sustenance to a dog; and
- (2) Authorize the court to assess fines, order performance of community service, require mental health counseling, or order attendance at education classes concerning animal abuse prevention in addition to other penalties.

Your Committee received testimony in support of this measure from the Hawaiian Humane Society, Domestic Violence Hurts Animals and People, Animal Interfaith Alliance in Britain, Pono Advocacy, The Humane Society of the United States, Aloha Animal Advocates, Hawaii Association of Animal Welfare Agencies, Rainbow Friends Animal Sanctuary, and numerous individuals.

Your Committee finds that constant and improper tethering or restraint puts a dog's health and safety at risk. Your Committee further finds that vagueness in existing law makes it difficult for law enforcement officers to take action before an improperly tethered or restrained dog has suffered serious injury or death. This measure establishes clear guidelines for dog owners and law enforcement officers for what constitutes proper tethering.

Your Committee has amended this measure by:

- (1) Amending the additional penalties a court may order a person convicted of an offense of cruelty to animals in the second degree to only include attendance at educational classes concerning animal abuse prevention; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 416, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 416, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Ichiyama, Tokioka).

SCRep. 853 Judiciary & Hawaiian Affairs on H.B. No. 1088

The purpose of this measure is to prohibit manufacturers from selling cosmetics in the State that are tested on animals in a cruel manner, beginning on January 1, 2024.

Your Committee received testimony in support of this measure from Cruelty Free International, Keiko Conservation, Animal Rights Hawai'i, Pono Advocacy, The Humane Society of the United States, The Body Shop, Ao Organics Hawai'i, O'o Hawaii, Pure Mana Hawaii, Hawaiian Humane Society, and three individuals. Your Committee received comments on this measure from the Department of Health and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that a global movement toward eliminating animal testing for cosmetics is trending. Modern cosmetic safety testing standards and practices no longer require the use of animals, as there are alternative testing methods, including the use of engineered human tissue and computer models, which are often cheaper and more accurate than animal testing. Your Committee further finds that this measure contains exceptions for special safety concerns, human health problems, an absence of nonanimal testing methods, and other circumstances that provide an appropriate balance.

Your Committee notes the testimony from the Department of the Prosecuting Attorney of the City and County of Honolulu regarding how this measure identifies what constitutes "cruel manner" by referencing the offense of cruelty to animals in the first degree, and the difficulty of proving whether such an

offense occurred. Your Committee further notes that the reference to the offense of cruelty to animals in the first degree may be misplaced as it only references a pet animal or equine animal.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the prohibition on selling cosmetics that have been tested on animals in a "cruel manner" is in reference to the offense of cruelty to animals in the second degree;
- (2) Changing the effective date to July 1, 3021, to encourage further discussion; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1088, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1088, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Ward). Noes, none. Excused, 2 (Ichiyama, Tokioka).

SCRep. 854 Finance on H.B. No. 333

The purpose of this measure is to:

- (1) Establish rules, regulations, and procedures for peer-to-peer car-sharing; and
- (2) Establish a Peer-to-Peer Car-Sharing Surcharge Tax on the operator of a peer-to-peer car-sharing program.

Your Committee received testimony in support of this measure from the Internet Association, TechNet, Enterprise Holdings, and Turo, Inc. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice. Your Committee received comments on this measure from the Department of Taxation, Insurance Division of the Department of Commerce and Consumer Affairs, Office of Consumer Protection of the Department of Commerce and Consumer Affairs, Department of Transportation, and Tax Foundation of Hawaii.

Your Committee has amended this measure by:

- (1) Clarifying the excluded coverage for motor vehicles made available for rent, sharing, or hire in motor vehicle insurance policies; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 333, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 333, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, McDermott).

SCRep. 855 Judiciary & Hawaiian Affairs on H.B. No. 486

The purpose of this measure is to enable government agencies to maintain roads whose ownership or jurisdiction is in dispute between the State and the counties by:

- (1) Specifying that the maintenance or repair of disputed roads by any agency shall not be deemed to be an indication that the agency has assumed ownership or jurisdiction of the disputed road; and
- (2) Authorizing the State to transfer ownership of roads in favor of counties by quitclaim if requested by the county.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that certain roads in Hawaii are in a state of disrepair due to disputes over ownership and jurisdictional authority between the State and counties. As a result, many of these roads in limbo are not well maintained and may be unsafe for drivers. This measure will enable the maintenance of these roads by allowing a governmental agency to maintain or repair a disputed road without assuming ownership or jurisdiction of the disputed road. This measure will also facilitate the resolution of disputes by specifically allowing the State to transfer any interest in a disputed road by quitclaim to a county upon request.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 486, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 486, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Tokioka).

SCRep. 856 Judiciary & Hawaiian Affairs on H.B. No. 553

The purpose of this measure is to:

- (1) Prohibit knowingly capturing, entangling, or killing a shark in state marine waters, with certain exemptions; and
- (2) Require the Department of Land and Natural Resources to adopt rules to:
 - (A) Ensure that the incidental taking of sharks while targeting other species is not a violation;
 - (B) Prevent the wanton waste of sharks;
 - (C) Limit gear, such as gill nets, in areas identified as shark nursery habitats; and
 - (D) Allow the taking of sharks for subsistence purposes, subject to reasonable regulation by the State for the protection of shark species.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Office of Hawaiian Affairs; Hawai'i Institute of Marine Biology of the University of Hawai'i; Animal Rights Hawai'i; The Humane Society of the United States; Humane Society International; Friends of Hanauma Bay; Center for Biological Diversity; Hawaii Reef and Ocean Coalition; For the Fishes; Conservation Council for Hawai'i; Kai Palaoa;

Moana 'Ohana; Ocean Defenders Alliance Hawai'i; Kalanihale; Kahea – The Hawaiian-Environmental Alliance; Sierra Club of Hawai'i; Haereticus Environmental Laboratory; Fair Wind; Environmental Caucus of the Democratic Party of Hawai'i; Legacy Reef Foundation; The Kohala Center; Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.; Save the Sea Turtles International; Conservation Council for Hawai'i; Keiko Conservation; and ten individuals. Your Committee received testimony in opposition to this measure from the Lokahi Fishing, LLC; Waialua Boat Club; and six individuals. Your Committee received comments on this measure from two individuals.

Your Committee finds that sharks play an important role in maintaining healthy marine ecosystems. Your Committee further finds that overfishing, pollution, and other threats can cause serious declines in shark populations. Your Committee recognizes that subsistence fishing and the incidental taking of sharks by fishers targeting other species are not a threat to shark populations, and therefore should not be criminalized. Your Committee also finds that requiring the Department of Land and Natural Resources to adopt rules to limit gear, such as gill nets, in areas identified as shark nursery habitats will further protect shark populations.

Your Committee has amended this measure by:

- (1) Deleting language that would have exempted any person who holds a license or permit issued by the Department of Land and Natural Resources to conduct research or research overseen by a state-approved institutional animal care and use committee from the prohibition against knowingly capturing, entangling, or killing a shark in state marine waters;
- (2) Requiring any person who captures or kills sharks for subsistence fishing purposes to obtain a permit issued by the Department of Land and Natural Resources; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 553, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 553, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (McKelvey). Noes, none. Excused, 2 (Ichiyama, Tokioka).

SCRep. 857 Judiciary & Hawaiian Affairs on H.B. No. 1021

The purpose of this measure is to authorize the Department of Land and Natural Resources to enter into the Interstate Wildlife Violator Compact or a similar agreement for mutual assistance in the enforcement of wildlife laws.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaiian Humane Society, Keiko Conservation, Animal Rights Hawai'i, Friends of Hanauma Bay, For the Fishes, The Humane Society of the United States, Hawaii Reef and Ocean Coalition, Moana Ohana, and two individuals.

Your Committee finds that violation of wildlife laws interferes with the management of wildlife resources and may endanger the safety of persons and property. Your Committee also finds that the Interstate Wildlife Violator Compact was created to promote compliance with the laws, regulations, ordinances, resolutions, and administrative rules that related to the management of wildlife resources in the respective member states. This multi-state agreement establishes a process whereby wildlife law violations conducted by a non-resident while in a member state may be handled as if the person were a resident in the state where the violation took place. The Interstate Wildlife Violator Compact also includes a reciprocal recognition of license privilege suspension by member states. Your Committee further finds that Hawaii is currently not a member of the Interstate Wildlife Compact. This measure will enhance Hawaii's ability to protect and manage its wildlife resources.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1021, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1021, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Ichiyama, Tokioka).

SCRep. 858 Judiciary & Hawaiian Affairs on H.B. No. 1030

The purpose of this measure is to:

- (1) Repeal the Aquatic Life and Wildlife Advisory Committees under section 197-4, Hawaii Revised Statutes; and
- (2) Make conforming amendments to sections 197-1 and 197-2, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the Department of Land and Natural Resources, after thorough review and scrutiny, has determined that the Aquatic Life and Wildlife Advisory Committees have rarely convened or been needed, and as such, are outdated and that the Department remains able to administratively convene a similar advisory committee if it deems it to be necessary.

Your Committee has amended this measure by making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1030, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1030, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Ichiyama, Tokioka).

SCRep. 859 Judiciary & Hawaiian Affairs on H.B. No. 1017

The purpose of this measure is to repeal statutory language prohibiting the taking, killing, and possession of female spiny lobsters, Kona crabs, and Samoan crabs to instead allow the Department of Land and Natural Resources to regulate the taking, killing, and possession of these animals through administrative rules.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Lokahi Fishing, LLC; Waialua Boat Club; Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.; Moana Ohana; and six individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that this measure would enable the Department of Land and Natural Resources to adopt more appropriate, science-based regulations for the management of crustaceans through the administrative rulemaking process, under chapter 91, Hawaii Revised Statutes, which provides ample opportunity for public input in the development of rules.

Your Committee has amended this measure by making technical, nonsubstantive amendments for purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1017, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1017, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (McKelvey). Noes, none. Excused, 2 (Ichiyama, Tokioka).

SCRep. 860 Finance on H.B. No. 46

The purpose of this measure is to require all habitat conservation plans to include an agreement for plan participants to enter into and maintain an annual service contract with a stand-by and response facility available to provide emergency medical and rehabilitation services to native wildlife affected by activities undertaken within the plan area.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Wildlife Center, and three individuals.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

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.B. No. 46, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 46, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 861 Finance on H.B. No. 95

The purpose of this measure is to authorize the issuance of special license plates for recognition and protection of the State's natural resources.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources and Department of Customer Services of the City and County of Honolulu.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 95, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 95, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 862 Finance on H.B. No. 1019

The purpose of this measure is to establish the Ocean Stewardship Special Fund for the collection and use of monies for the conservation, restoration, and enhancement of the State's marine resources, and to authorize the Department of Land and Natural Resources to collect fees for the use and enjoyment of the State's ocean resources.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Kua'aina Ulu 'Auamo, Surfrider Foundation, Ocean Tourism Coalition, and five individuals.

Your Committee has amended this measure by:

- (1) Including a five-year sunset for the Ocean Stewardship Special Fund; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1019, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1019, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, 1 (McDermott). Excused, none.

SCRep. 863 Finance on H.B. No. 863

The purpose of this measure is to authorize the issuance of general obligation bonds for the Department of Land and Natural Resources' Forest Stewardship Program for fiscal biennium 2021-2023 to expand and increase existing plant stocks of state tree nurseries, renovate and update the equipment and facilities of the state tree nurseries, and conduct public outreach and education on the benefits of trees and plants in providing soil health and their uses in agricultural settings.

Your Committee received testimony in support of this measure from the University of Hawaii College of Tropical Agriculture and Human Resources, Climate Protectors Hawaii, Environmental Caucus of the Democratic Party of Hawai'i, 350Hawaii.org, and one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee has amended this measure by:

- (1) Clarifying the purpose of the general bond authorization for the Forest Stewardship Program; and

(2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 863, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 863, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 864 Finance on H.B. No. 1348

The purpose of this measure is to:

- (1) Amend the membership, responsibilities, powers, and duties of the Stadium Authority;
- (2) Exempt lands to which the Stadium Authority holds title from designation as public lands, but subject to legislative approval if sold or gifted;
- (3) Establish the Stadium Development Special Fund;
- (4) Clarify the governance and management of the Stadium Development District; and
- (5) Amend the general bond authorization enabled through Act 268, Session Laws of Hawaii 2019.

Your Committee received testimony in support of this measure from the Stadium Authority, Chamber of Commerce Hawaii, Hawaii Laborers' Union Local 368, Pacific Resource Partnership, Hawai'i Construction Alliance, General Contractors Association of Hawaii, and one individual. Your Committee received comments on this measure from the Department of Accounting and General Services, Department of Budget and Finance, University of Hawai'i System, Hawaii Community Development Authority, and one individual.

Your Committee has amended this measure by:

- (1) Changing the general obligation bonds authorization to an unspecified amount; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1348, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1348, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (Perruso). Noes, none. Excused, none.

SCRep. 865 Finance on H.B. No. 1294

The purpose of this measure is to require the transfer of non-facility general fund per-pupil allocations of special education students of a Department of Education school to a charter school upon receipt of the completed intent to enroll form of the student at the charter school, subject to certain conditions.

Your Committee received testimony in support of this measure from Kanu o ka 'Āina New Century Public Charter School, DreamHouse 'Ewa Beach Public Charter School, and six individuals. Your Committee received testimony in opposition to this measure from the Department of Education. Your Committee received comments on this measure from the State Public Charter School Commission.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1294, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1294, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (Wildberger). Noes, 1 (Perruso). Excused, none.

SCRep. 866 Judiciary & Hawaiian Affairs on H.B. No. 608

The purpose of this measure is to require the Board of Education to:

- (1) Hold no less than six community forums annually, with at least one forum to be held in each county;
- (2) Include an open forum for public comments on non-agenda items;
- (3) Authorize permitted interactions at the community forums under certain circumstances; and
- (4) Report to the Legislature on the implementation of the open forums.

Your Committee received testimony in support of this measure from the League of Women Voters Hawaii and one individual. Your Committee received comments on this measure from the Board of Education and Office of Information Practices.

Your Committee finds that community meetings held by the Board of Education improve the public's access to the Board and provide more information to help the Board with decision-making and priority setting. This measure will increase communication between the community-at-large and the Board of Education, thereby improving transparency and access to information.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that large geographical islands, such as Hawaii Island, may need two community forums to be held, with one community forum occurring on the east side of the island and another community forum occurring on the west side of the island.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 608, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 608, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Nakamura). Noes, none. Excused, 3 (LoPresti, Tokioka, Ward).

SCRep. 867 Judiciary & Hawaiian Affairs on H.B. No. 546

The purpose of this measure is to amend the composition of the Early Learning Board to make a representative from Aha Punana Leo a standing member.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Executive Office on Early Learning, University of Hawaii at Hilo, Early Learning Board, one member of the Hawaii County Council, Puakalehua Early Learning Consortium, 'Aha Pūnana Leo, Kūpuna for the Mo'opuna, Pūnana Leo o Hilo, Pūnana Leo o Waimea, Pūnana Leo o Kona, Pūnana Leo o Maui, Pūnana Leo o Lahaina, Pūnana Leo o Hāna, Pūnana Leo o Moloka'i, Pūnana Leo o Mānoa, Pūnana Leo o Honolulu, Pūnana Leo o Ko'olau Poko, Pūnana Leo o Wai'anae, Pūnana Leo o Kaua'i, 'Aha Punana Leo - Ke'ena Kula Kamali'i, Kanaokana, Kaulanakilohana, and numerous individuals.

Your Committee finds that the Early Learning Board is primarily tasked with the development of the State's early childhood system, which ensures a spectrum of high-quality development and learning opportunities for children throughout the State, from prenatal care until the time they enter kindergarten. Your Committee further finds that learning opportunities that promote the study of Hawaiian culture, history, and language are necessary parts to be included within the State's early childhood system.

Your Committee additionally finds that Aha Punana Leo is currently the only provider of Hawaii immersion statewide that offers programs for infants, toddlers, and preschoolers. This measure will allow Aha Punana Leo to sit as a member to develop and maintain the institutional knowledge and relationships necessary to ensure effective advocacy.

Your Committee has amended this measure by inserting a sunset date of June 30, 2031.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 546, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 546, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Takumi). Noes, none. Excused, 2 (Ichiyama, Tokioka).

SCRep. 868 Judiciary & Hawaiian Affairs on H.B. No. 250

The purpose of this measure is to include in the offenses of sexual assault in the second degree and sexual assault in the third degree the act of a law enforcement officer who knowingly subjects to sexual penetration or sexual contact a person stopped or accompanied by the law enforcement officer for official purposes.

Your Committee received testimony in opposition to this measure from the Maui Police Department.

Your Committee finds that this measure addresses an incident involving a Honolulu Police Officer's inappropriate conduct. A Honolulu Police Officer stopped a teenage girl for a traffic infraction and subjected her to sexual contact. The police officer was indicted for sexual assault in the third degree. However, the indictment was dismissed because the stop for a traffic infraction did not amount to the girl being in custody, as required for that offense. This measure will address inappropriate behavior conducted by law enforcement officers by clarifying certain sexual assault offenses.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2021, to encourage further discussion; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 250, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 250, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 869 Judiciary & Hawaiian Affairs on H.B. No. 1253

The purpose of this measure is to prohibit an employer, with certain exemptions, from:

- (1) Requiring an employee to download a mobile application to the employee's personal communication device that enables the employee's location to be tracked or their personal information revealed;
- (2) Terminating or otherwise discriminating against an employee for refusing to download a mobile application to the employee's personal communication device; or
- (3) Discharging or otherwise discriminating against an employee for filing a complaint, testifying, or assisting in any proceeding concerning these unlawful practices.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations and one individual. Your Committee received testimony in opposition to this measure from the Chamber of Commerce Hawaii, Society for Human Resource Management Hawaii, Retail Merchants of Hawaii, and Maui Chamber of Commerce.

Your Committee finds that the COVID-19 pandemic placed greater emphasis on the need for new public health tools to mitigate the spread of the virus. Mobile phone applications leveraged the capabilities of existing technology to assist public health officials in tracking the spread of the virus and warning persons that may have been potentially exposed. The new mobile applications, upon the voluntary acceptance by a mobile phone user, track devices nearby and notify the user if the user was near a person who tested positive for the virus.

Your Committee further finds that these applications have raised privacy concerns and anxiety over the potential misuse of the tracking information. This measure will prohibit an employer from requiring an employee to or taking adverse action against an employee who refuses to download a mobile application to the employee's personal communication device. However, your Committee recognizes that there may be situations where an employee consents to downloading the mobile application or the mobile application is required as a condition of employment and related to the functions of the employment position. Your Committee believes that these situations should not be prohibited under law.

Accordingly, your Committee has amended this measure by:

- (1) Providing that the prohibition against unlawful practices by the employer does not apply if:
 - (A) The employee consents to downloading the mobile application to the employee's personal communication device; or

(B) The mobile application is required as a condition of employment and related to the functions of the employment position; and

(2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1253, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1253, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Todd).

SCRep. 870 Finance on H.B. No. 1043

The purpose of this measure is to amend chapter 237D, Hawaii Revised Statutes, relating to the transient accommodations tax by:

- (1) Repealing the misdemeanor criminal penalty for failing to register under that chapter and replacing it with a monetary fine structure;
- (2) Replacing references to operator or plan manager with person or taxpayer;
- (3) Clarifying that a certificate of registration is required for persons who post advertisements for the furnishing of a transient accommodation;
- (4) Making the personal liability provision under the general excise tax law applicable to the transient accommodations tax; and
- (5) Making various other technical amendments.

Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee has amended this measure by:

- (1) Deleting language that would have amended the definition of "operator";
- (2) Clarifying the application of the transient accommodations tax to transient accommodations platforms in the State; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1043, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1043, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 871 Finance on H.B. No. 835

The purpose of this measure is to appropriate funds to support the ongoing operations of the Hawaii National Guard Youth Challenge Program.

Your Committee received testimony in support of this measure from the Office of the Judiciary, Prosecuting Attorney of the County of Hawaii, Hawaii Youth Challenge Foundation, WIOA Youth Services Program Maui, Crime Stoppers Hawaii, Hawaii Island – Going Home Hawaii, Friends of Big Island Drug Court, and four individuals. Your Committee received testimony in opposition to this measure from the Military Order of World Wars and two individuals. Your Committee received comments on this measure from the Department of Defense.

Your Committee has amended this measure by removing the State Department of Defense as the expending agency and substituting an unspecified agency in its place.

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.B. No. 835, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 835, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 872 Judiciary & Hawaiian Affairs on H.B. No. 391

The purpose of this measure is to establish a process for the early termination of a rental agreement for certain active duty servicemembers who:

- (1) Receive military orders to vacate civilian housing and move into on-post government quarters; provided that the orders are not the result of disciplinary action or a court order;
- (2) Become eligible to live at on-post government quarters and failure to move into on-post government quarters will result in a forfeiture of the basic allowance for housing; or
- (3) Die while serving on active duty.

Your Committee received testimony in support of this measure from six individuals. Your Committee received comments on this measure from the Hawai'i Association of REALTORS and one individual.

Your Committee finds that a servicemember who becomes divorced, no longer has dependents, or does not have physical custody of children may lose their housing allowance. In such an event, the servicemember is required to move into barracks, regardless of any valid lease to which they are a party. This measure will help ensure that servicemembers will not be subjected to evictions or face financial hardship because of a loss of eligibility for a basic housing allowance and a need to terminate a residential lease for off-post housing; provided that a requirement to move into barracks is not the result of a disciplinary action or court order.

Your Committee has amended this measure by:

- (1) Amending the conditions for early termination to more narrowly require that the servicemember tenant receive military orders requiring the servicemember tenant to vacate civilian housing and move into on post government quarters, and failure to move into on-post government quarters will result in a forfeiture of the servicemember tenant's basic allowance for housing; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 391, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 391, H.D. 3.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 2 (Takumi, Tokioka).

SCRep. 873 Judiciary & Hawaiian Affairs on H.B. No. 671

The purpose of this measure is to:

- (1) Prohibit certain state officials and employees from representing certain private interests before the State for twelve months after termination from their respective state positions; and
- (2) Specify that the prohibition against disclosing any information not available to the public or using the information for personal gain or benefit applies even to those who were employed by the State for less than one hundred eighty-one days.

Your Committee received testimony in support of this measure from the Hawaii State Ethics Commission, Common Cause Hawaii, Young Progressives Demanding Action, and five individuals.

Your Committee finds that it is in the public interest to keep a distinct wall of separation between lobbyists and the State's elected officials and certain other government employees. However, your Committee further finds that this measure would expand the post-employment prohibition to members of certain boards and commissions. The majority of these members serve voluntarily and without compensation. Your Committee believes that imposing this additional restriction on board and commission members may make it more difficult to attract and recruit the most qualified individuals for service.

Accordingly, your Committee has amended this measure by deleting language that would have prohibited members and trustees of certain boards and commissions from representing certain private interests before the State for twelve months after termination from their respective state positions.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 671, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 671, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 2 (Ichiyama, Tokioka).

SCRep. 874 Judiciary & Hawaiian Affairs on H.B. No. 144

The purpose of this measure is to amend the requirements for a statement of information filed by each person who makes an expenditure for electioneering communications by:

- (1) Increasing the monetary threshold that triggers disclosure of electioneering communications;
- (2) Requiring that disclosures of electioneering communications occur on the date the electioneering communications are publicly distributed;
- (3) Classifying election advertisements sent by mail at any postal rate as electioneering communications; and
- (4) Repealing the requirement that a person be treated as having made an expenditure if the person has executed a contract to make the expenditure.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, and one individual.

Your Committee finds that expenditures for electioneering communications may occur weeks or months before the electioneering communications are publicly distributed. This measure changes the date to trigger the need to file the statement of information to coincide with the distribution date, which will be a timelier disclosure.

Your Committee further finds that existing law requires disclosures of electioneering communication mailed by bulk rate but not by any other postal rate. This measure removes the distinction between electioneering communication by different postal rates and requires disclosure of electioneering communication by any postal rate.

Your Committee has amended this measure by:

- (1) Excluding candidates and candidate committees from electioneering communication disclosure requirements; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 144, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 144, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 3 (LoPresti, Tokioka, Ward).

SCRep. 875 Judiciary & Hawaiian Affairs on H.B. No. 741

The purpose of this measure is to require certain Hawaii State Ethics Commission records to be permanently retained, rather than retained for a period of four years from the date of filing.

Your Committee received comments on this measure from the Hawai'i State Ethics Commission.

Your Committee finds that the permanent retention of records by the Hawaii State Ethics Commission is no longer an undue burden thanks to modern data retention technology, such as cloud storage and data warehouses. This measure will ensure transparency and historical accuracy by requiring the perpetual retention of certain lobbying records.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 741, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 741, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 3 (LoPresti, Tokioka, Ward).

SCRep. 876 Judiciary & Hawaiian Affairs on H.B. No. 1118

The purpose of this measure is to:

- (1) Amend the definition of "noncandidate committee" under campaign finance laws to mean any organization, association, party, or individual that is financially involved in the political process; and
- (2) Require noncandidate committees to provide to the Campaign Spending Commission a list of donors whose money was given by a 501(c)(4) organization to the noncandidate committee to fund an advertisement or electioneering communication.

Your Committee received testimony in opposition to this measure from the Campaign Spending Commission. Your Committee received comments on this measure from Common Cause Hawaii.

Your Committee finds that dark money is often used to raise funds for the purpose of influencing elections by nonprofit organizations, including 501(c)(4) organizations, that are not required to disclose the identities of their donors. Your Committee further finds that 501(c)(4) organizations are tax-exempt, nonprofit organizations operated exclusively to promote social welfare. Although the promotion of social welfare does not include direct or indirect participation or intervention in political campaigns on behalf of or in opposition to any candidate for public office, the Internal Revenue Code states that social welfare organizations may engage in some political activities, so long as that is not their primary activity. As a result, 501(c)(4) organizations may be engaging in and spending unregulated amounts of money on political activity without any consequences or oversight.

Your Committee believes that this measure will provide more transparency in elections and build trust between the public and elected officials by requiring more transparency.

Your Committee has amended this measure by requiring that the list of donors include donors contributing more than \$5,000 in the aggregate in an election period.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1118, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1118, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Lowen, Nakamura, Ward). Noes, none. Excused, 2 (Ichiyama, Tokioka).

SCRep. 877 Judiciary & Hawaiian Affairs on H.B. No. 1071

The purpose of this measure is to:

- (1) Require the Chair of the Independent Audit Committee of the University of Hawaii Board of Regents to be selected in a manner consistent with the Board of Regents' Bylaws;
- (2) Limit the Board of Regents' flexibility to appoint members with certain skill sets to the Independent Audit Committee;
- (3) Exempt the Independent Audit Committee from public proceedings and records laws and open meetings laws during its discussions with auditors on matters that should remain confidential, and, at the Independent Audit Committee Chair's discretion, allow the discussions to be held in the absence of the University of Hawaii President or University of Hawaii Chief Financial Officer; and
- (4) Clarify the Independent Audit Committee's role with regard to enterprise risk management.

Your Committee received testimony in support of this measure from the Office of the Board of Regents.

Your Committee finds that the Independent Audit Committee's primary task is to provide oversight of the University of Hawaii's compliance with, and internal controls relating to, various areas of risk management, finance, and accounting. Your Committee further finds that pursuant to existing law, the Chairperson of the Independent Audit Committee is selected by and from its members. However, this has created instances in which the Independent Audit Committee does not have a chairperson, which leads to difficulties in planning the first meeting since there is no chairperson to set the meeting agenda.

Your Committee further finds that the University of Hawaii Board of Regents' bylaws provides an alternative method of selecting the Chairperson of the Independent Audit Committee. Under the bylaws, the Chairperson of the Board of Regents appoints the Chairperson of the Independent Audit Committee. This measure, by statutorily aligning the selection of the Chairperson of the Independent Audit Committee with the bylaws, will ensure that situations in which the Independent Audit Committee has no chairpersons are avoided.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1071, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1071, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Ichiyama, Tokioka).

SCRep. 878 Judiciary & Hawaiian Affairs on H.B. No. 686

The purpose of this measure is to protect the public and critical utilities by establishing the class C felony offense of criminal trespass on critical electrical infrastructure.

Your Committee received testimony in support of this measure from the Department of Transportation; Honolulu Police Department; Hawaiian Electric Company, Inc.; and one individual. Your Committee received testimony in opposition to this measure from the Sierra Club of Hawai'i, Environmental Caucus of the Democratic Party of Hawai'i, Our Revolution Hawaii, Ku-A-Kanaka LLC, Pono Hawai'i Initiative, Malu 'Aina, Ka Lāhui Hawai'i Kōmike Kalai'āina, and numerous individuals.

Your Committee finds that the security and resilience of Hawaii's critical electrical infrastructure are fundamental to the health, safety, and welfare of the State's residents, visitors, and employees, and to the national defense of the country. This measure seeks to provide a proportionate level of protection for this key resource. However, your Committee believes that the purpose of this measure would be better achieved by amending the existing offense of burglary in the second degree to include intentionally entering or remaining unlawfully on a critical electrical infrastructure.

Your Committee has amended this measure by:

- (1) Deleting language establishing the class C felony offense of criminal trespass on critical electrical infrastructure;

- (2) Inserting language amending the offense of burglary in the second degree to include intentionally entering or remaining unlawfully on a critical electrical infrastructure; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 686, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 686, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (LoPresti). Noes, 1 (D. Kobayashi). Excused, 2 (Takumi, Tokioka).

SCRep. 879 Judiciary & Hawaiian Affairs on H.B. No. 571

The purpose of this measure is to establish the felony offence of importation, sale, or possession of a childlike sex doll.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, Maui Police Department, and two individuals. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that the ownership or possession of a childlike sex doll correlates with other offenses perpetrated against children and may reinforce pedophilic thoughts and cause those thoughts to be acted upon with greater urgency. Your Committee further finds that other jurisdictions have passed or introduced legislation imposing criminal penalties for selling or possessing a childlike sex doll. The ban proposed by this measure will help protect the State's most vulnerable population from predatory sex offenders.

Your Committee has amended this measure by:

- (1) Lowering the threshold for the number of childlike sex dolls in a person's possession before the offense increases from a class C felony to a class B felony from ten to five; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 571, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 571, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 880 Judiciary & Hawaiian Affairs on H.B. No. 940

The purpose of this measure is to:

- (1) Mandate the reporting of suspected financial exploitation of elders and vulnerable adults in relation to securities by broker-dealers and investment advisors;
- (2) Provide immunity for good faith reporting; and
- (3) Authorize the delay of disbursements or transactions in situations of suspected financial exploitation.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Maui Police Department, Securities Industry Association of Hawaii, Securities Industry and Financial Markets Association, and NAIFA Hawaii. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that financial exploitation is considered the fastest growing form of elder abuse, and the financial consequences for those who fall victim to financial exploitation are often devastating and irreparable. This measure will better protect Hawaii's elders and vulnerable adults from financial exploitation.

Your Committee has amended this measure by:

- (1) Deleting the reference to section 346-222, Hawaii Revised Statutes, from the definition of "vulnerable adult";
- (2) Deleting references to the Department of Human Services as a recipient of records that are relevant to the suspected or attempted financial exploitation of an elder or a vulnerable adult;
- (3) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 940, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 940, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 881 Judiciary & Hawaiian Affairs on H.B. No. 459

The purpose of this measure is to bring the State into substantial compliance with federal regulations by requiring the examiner of drivers to disqualify, for life, any person from driving a commercial motor vehicle if the person uses a commercial motor vehicle in the commission of any felony involving an act or practice of a severe form of trafficking in persons.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii Transportation Association, Hawaii Strategic Highway Safety Plan, and one individual.

Your Committee finds that the Federal Motor Carrier Safety Administration issued a final rule to permanently disqualify individuals convicted of a felony involving severe forms of trafficking in persons from driving a commercial motor vehicle (Final Rule). The Final Rule also requires states to be in substantial compliance with the Final Rule within three years of the Final Rule's effective date. If a state fails to be in substantial compliance with the Final Rule within

three years, the federal government is authorized to withhold certain federal funding. This measure brings the State into substantial compliance with federal law and preserves the State's allocation of certain federal funds.

Your Committee has amended this measure by:

- (1) Conforming the definition of "severe form of trafficking in persons" to the definition under federal law; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 459, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 459, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Todd).

SCRep. 882 Judiciary & Hawaiian Affairs on H.B. No. 891

The purpose of this measure is to repeal the existing ban on electric guns and implement a regulatory framework for electric guns that is similar to the regulatory framework for firearms.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from Young Guns and numerous individuals.

Prior to decision making on this measure, your Committee posted and made available for public review a proposed H.D. 2, which amends this measure by:

- (1) Deleting the definition of "electric projectile gun";
- (2) Increasing the age for ownership of an electric gun to twenty-one;
- (3) Deleting language regarding permitting for and registration of electric guns and electric projectile guns;
- (4) Amending the renewal deadline for licenses to sell, offer to sell, distribute, or otherwise transfer electric guns;
- (5) Requiring electric gun licensees or employees of the licensees to conduct a criminal history background check of an electric gun recipient; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee received testimony in support of the proposed H.D. 2 from the Department of the Attorney General and Honolulu Police Department. Your Committee received testimony in opposition to the proposed H.D. 2 from the Maui Police Department, Hawaii Firearms Coalition, and two individuals.

Your Committee finds that the Supreme Court of the United States cast doubt on the constitutionality of electric gun prohibitions in *Caetano v. Massachusetts*, 136 S. Ct. 1027 (2016). Your Committee further notes that a pending case in the United States District Court for the District of Hawaii, *Roberts v. Ballard*, 18-00125 HG-KSC, is seeking to invalidate Hawaii's prohibition on electric guns. If the plaintiff in *Roberts* succeeds in invalidating Hawaii's prohibition, the State will be left without safeguards for the sale, distribution, and possession of electric guns. This measure takes a proactive step in ensuring adequate electric gun regulations are in place.

Your Committee has amended this measure by adopting the proposed H.D. 2 and further amending the measure by:

- (1) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 891, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 891, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (D. Kobayashi). Noes, none. Excused, 3 (LoPresti, Tokioka, Ward).

SCRep. 883 Judiciary & Hawaiian Affairs on H.B. No. 1062

The purpose of this measure is to:

- (1) Clarify the validity period of a commercial learner's permit; and
- (2) Bring the State into substantial compliance with federal regulations by requiring entry-level driver training for certain first-time commercial driver license applicants.

Your Committee received testimony in support of this measure from the Department of Transportation and Hawaii Transportation Association.

Your Committee finds that the Federal Motor Carrier Safety Administration issued a final rule that requires entry-level driver training for certain applicants for commercial driver's licenses or endorsements and further requires states to be in substantial compliance with this final rule by February 7, 2022. If a state fails to be in substantial compliance with the final rule, the federal government may withhold certain federal funding. This measure will bring the State into substantial compliance with the final rule and preserve the State's allocation of certain federal funds.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1062, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1062, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Lowen, Todd).

SCRep. 884 Judiciary & Hawaiian Affairs on H.B. No. 1246

The purpose of this measure is to specify that certain violations of the Fireworks Control Law be considered:

- (1) An activity that causes air pollution under the Hawaii Air Pollution Control Act, punishable by civil penalties and subject to citations under the Hawaii Air Pollution Control Act; and

- (2) A violation of noise control rules under the Hawaii noise pollution laws, and punishable by civil penalties and subject to citations under the Hawaii noise pollution laws.

Your Committee received testimony in support of this measure from the Hawaiian Humane Society and three individuals. Your Committee received comments on this measure from the Department of Health and State Fire Council.

Your Committee finds that the Fireworks Control Law and its associated penalties have proven to be an inadequate deterrent for the illegal use of fireworks in the State. This measure is intended to strengthen enforcement through alternative enforcement mechanisms and imposition of additional penalties to protect public health and safety.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1246, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1246, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (McKelvey, Nakamura, Ward). Noes, 2 (D. Kobayashi, Tokioka). Excused, 2 (Lowen, Todd).

SCRep. 885 Finance on H.B. No. 446

The purpose of this measure is to:

- (1) Establish the felony offense of theft of a catalytic converter;
- (2) Prohibit persons licensed to purchase or sell used motor vehicle parts or accessories or licensed to wreck, salvage, or dismantle motor vehicles from accepting parts or accessories or a motor vehicle if the seller does not furnish certain information and require licensees to report the attempted sale to the police;
- (3) Increase the minimum and maximum allowable fine for violations of the law relating to used motor vehicle parts and accessories; and
- (4) Regulate the purchase of catalytic converters and catalytic converter metals by scrap dealers.

Your Committee received testimony in support of this measure from the Hawaii Transportation Association; National Insurance Crime Bureau; American Property Casualty Insurance Association; AAA Hawaii; Roberts Hawaii; Hawaii Global Holiday, Inc.; and one individual. Your Committee received comments on this measure from the Department of the Attorney General and Hawaii Insurers Council.

Your Committee has amended this measure by:

- (1) Removing the provisions that regulated the purchase of catalytic converters and catalytic converter metals by scrap dealers as they are not authorized to deal in used motor vehicle parts, such as catalytic converters; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 446, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 446, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 886 Finance on H.B. No. 947

The purpose of this measure is to:

- (1) Establish the Safe Home Program to provide matching and nonmatching grants for the installation of wind resistive devices to single-family, owner-occupied, residential property owners, in certain circumstances;
- (2) Allocate a portion of the monies earned through interest from the Hurricane Reserve Trust Fund's assets to provide grants under the Safe Home Program; and
- (3) Create one temporary position within the Insurance Division of the Department of Commerce and Consumer Affairs to implement and administer the Safe Home Program.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Hawaii Green Infrastructure Authority; Hawaii State Energy Office; Hawaii Emergency Management Agency; City and County of Honolulu Office of Climate Change, Sustainability, and Resiliency; Hawaii Insurers Council; and one individual. Your Committee received comments on this measure from the State Procurement Office.

Your Committee has amended this measure by:

- (1) Changing the amount of interest to be deposited into the Safe Home Trust Fund from the Hurricane Reserve Trust Fund to an unspecified amount; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 947, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 947, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 887 Finance on H.B. No. 1376

The purpose of this measure is to provide a balanced, fair procedure for landlords and tenants to seek rental assistance and mediate and negotiate a resolution before a landlord evicts a tenant. Specifically, this measure:

- (1) Extends the period for a notice of summary possession from five days to fifteen days;
- (2) Requires landlords to enter into mediation and delays when a landlord may seek possession of a dwelling unit if the tenant schedules or attempts to schedule mediation;
- (3) Requires landlords to provide the notice to mediation centers that offer free mediation for residential landlord-tenant disputes;

- (4) Restricts when a landlord may exercise these remedies depending on the amount of rent due;
- (5) Appropriates funds for the Judiciary to contract for mediation services; and
- (6) Repeals one year after the expiration date of the final eviction moratorium imposed pursuant to a COVID-19 State of Emergency Proclamation.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii Housing Finance and Development Corporation, Hawai'i Association of REALTORS, Legal Aid Society of Hawai'i, and two individuals. Your Committee received comments on this measure from the Judiciary, Catholic Charities Hawai'i, Hawaii Appleseed Center for Law & Economic Justice, and Medical-Legal Partnership Hawai'i.

Your Committee has amended this measure by:

- (1) Changing the appropriation to the Judiciary for mediation services to unspecified amounts; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1376, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1376, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 888 Finance on H.B. No. 1377

The purpose of this measure is to:

- (1) Create an Electronic Citation Program under the Judiciary; and
- (2) Establish an electronic citation surcharge.

Your Committee received testimony in support of this measure from the Department of Transportation, Traffic Division of the Honolulu Police Department, Department of the Prosecuting Attorney of the County of Maui, Hawaii Strategic Highway Safety Plan, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance and Judiciary.

Your Committee has amended this measure by:

- (1) Including a five-year sunset for the Electronic Citation Special Fund, established by this measure; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1377, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1377, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Nishimoto).

SCRep. 889 Finance on H.B. No. 73

The purpose of this measure is to amend the definition of "emergency worker" in the Penal Code to include Hawaii state on-scene coordinators and telecommunications dispatchers.

Your Committee received testimony in support of this measure from the Enhanced 911 Board; Hawai'i Police Department; Hawai'i Fire Department; Kaua'i Police Department; Honolulu Police Department; Maui Police Department; Honolulu Fire Department; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and numerous individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Department of Health and Office of Homeland Security of the Department of Defense.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 73, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 73, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, 1 (Perruso). Excused, none.

SCRep. 890 Finance on H.B. No. 529

The purpose of this measure is to:

- (1) Authorize county police and planning or permitting agencies to enter privately owned residential real property, under certain specified conditions, to address imminent threats to health or safety or violations of county zoning laws; and
- (2) Establish penalties for violations.

Your Committee received testimony in support of this measure from the Maui Police Department. Your Committee received comments on this measure from the Department of the Attorney General, Waikiki Neighborhood Board, and one individual.

Your Committee has amended this measure by:

- (1) Clarifying that county police and planning or permitting agencies may enter privately owned residential real property to address imminent threats to health or safety or violations of county zoning laws that threaten health or safety;
- (2) Adding occupation of a residence or structure by a number of persons that exceeds what is allowed to the list of conditions that constitute an imminent threat to health or safety;
- (3) Clarifying the process for unaddressed county zoning violations;
- (4) Changing the minimum daily fine amount to \$1,000; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 529, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 529, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 891 Finance on H.B. No. 631

The purpose of this measure is to:

- (1) Provide judges with greater discretion to adjust the payment of fees or fines for violations of certain traffic offenses based on a person's inability to pay or financial circumstances;
- (2) Decrease the imprisonment term to contumacious nonpayment ratio; and
- (3) Increase the amount of credit given to a person committed for contumacious nonpayment.

Your Committee received testimony in support of this measure from the Office of the Prosecuting Attorney of the County of Kaua'i and four individuals. Your Committee received comments on this measure from the Judiciary and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 631, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 631, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, 1 (McDermott). Excused, none.

SCRep. 892 Finance on H.B. No. 662

The purpose of this measure is to provide an extensive process for limited firearm ownership solely for hunting or sport for certain misdemeanor offenders who are currently not allowed to possess a firearm in the State.

Your Committee received testimony in support of this measure from the Hawaii Firearms Coalition and twelve individuals. Your Committee received testimony in opposition to this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and one individual. Your Committee received comments on this measure from the Honolulu Police Department.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 662, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 662, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 893 Finance on H.B. No. 776

The purpose of this measure is to authorize the issuance of special purpose revenue bonds and appropriate the bond revenues derived therefrom for a master planned development proposed by Pueo Development, LLC.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and five individuals. Your Committee received comments on this measure from the Department of Budget and Finance; Waiohuli Hawaiian Homestead Association, Inc; and Pueo Development, LLC.

Your Committee has amended this measure by expanding the allowable uses for the special purpose revenue bonds and bond revenues for agriculture and processing enterprises.

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.B. No. 776, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 776, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 894 Finance on H.B. No. 884

The purpose of this measure is to require the Director of the Office of Information Practices to:

- (1) Rule or provide written guidance on an agency denial of access to, or granting of access to, information or records; and
- (2) Receive and resolve complaints under Hawaii's Sunshine Law either by determining whether a violation occurred or providing guidance.

Your Committee received testimony in support of this measure from the Office of Information Practice. Your Committee received testimony in opposition to this measure from the Civil Beat Law Center for the Public Interest, Common Cause Hawaii, and League of Women Voters of Hawaii.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

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.B. No. 884, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 884, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 895 Finance on H.B. No. 1090

The purpose of this measure is to amend the requirements for child passenger restraints in motor vehicles by:

- (1) Requiring rear-facing child safety seats for children less than two years of age;
- (2) Requiring rear-facing or forward-facing child safety seats for children at least two years of age but less than four years of age;
- (3) Requiring the use of child safety seats or booster seats for certain children at least four years of age but less than seven years of age;
- (4) Requiring the use of child safety seats or booster seats for certain children at least seven years of age but less than ten years of age;
- (5) Repealing an exemption for when the number of persons in a vehicle exceeds the greater of the number of seat belt assemblies available or originally installed in the vehicle;
- (6) Repealing language that prohibited failure to restrain a child in accordance with law from being considered contributory negligence, comparative negligence, or negligence per se; and
- (7) Raising certain fines for violations.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, Keiki Injury Prevention Coalition, Safe Kids Hawaii at Kapi'olani Medical Center for Women & Children, and AAA Hawai'i. Your Committee received comments on this measure from the Hawaii Association for Justice.

Your Committee has amended this measure by:

- (1) Changing the increased fines for certain violations to unspecified amounts;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1090, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1090, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 896 Finance on H.B. No. 1096

The purpose of this measure is to require the Department of Health to convene a task force to recommend amendments to the Hawaii Revised Statutes to update existing parentage laws that reflect outdated, cisheteronormative concepts of families, parenthood, and parental rights.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, Planned Parenthood Votes Northwest and Hawaii, LGBT Caucus of the Democratic Party of Hawai'i, AF3IRM – Hawai'i, Hawaii Women's Coalition, American Civil Liberties Union of Hawai'i, and nineteen individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee has amended this measure by:

- (1) Inviting nongovernmental members of the task force to participate in the task force, rather than requiring their participation;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1096, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1096, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (McDermott). Noes, none. Excused, none.

SCRep. 897 Finance on H.B. No. 185

The purpose of this measure is to appropriate funds for the operating costs of the Judiciary Branch for fiscal year (FY) 2021-2022 and FY 2022-2023.

As introduced, this budget appropriates:

	FY 2021-2022	FY 2022-2023
General Funds	163,983,827	163,983,827
All Means of Financing	176,992,774	176,992,774

Testimony received on this measure can be found at the Legislature's website at <https://www.capitol.hawaii.gov/>

Your Committee has amended this measure by transferring the Office of the Public Defender to the Judiciary.

This amended budget appropriates:

	FY 2021-2022	FY 2022-2023
General Funds	183,590,921	183,590,921
All Means of Financing	196,599,868	196,599,868

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.B. No. 185, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 185, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 898 Judiciary & Hawaiian Affairs on H.B. No. 381

The purpose of this measure is to:

- (1) Codify the administrative definition of "assistance animal" for the purposes of real estate transactions;

- (2) Clarify the type of verification an individual may provide to establish the need for an assistance animal; and
- (3) Specify that the possession of a vest or other distinguishing animal garment, tag, or registration document commonly purchased online and purporting to identify an animal as a service animal or assistance animal does not constitute a valid verification of a disability-related need for an assistance animal.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Hawaii Disability Rights Center, Associa, Hawai'i Association of REALTORS, and one individual. Your Committee received comments on this measure from the Disability and Communication Access Board and Community Associations Institute – Hawaii Legislative Action Committee.

Your Committee finds that a person with a disability that includes the use of an assistance animal should be provided equal opportunity to use and enjoy a housing accommodation. Your Committee finds that the requirements imposed by this measure strike an appropriate balance between the needs of both parties to the real estate transaction.

Your Committee has amended this measure by:

- (1) Amending the types of verification that may be provided to establish the disability-related need for a specific assistance animal as a reasonable accommodation pursuant to guidance issued by the United States Department of Housing and Urban Development; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 381, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 381, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Ichiyama, Tokioka).

SCRep. 899 Judiciary & Hawaiian Affairs on H.B. No. 991

The purpose of this measure is to:

- (1) Enable the Department of Health to disclose vital statistics records for public health and law enforcement purposes; and
- (2) Update the categories of those who are able to access otherwise confidential vital statistics records.

Your Committee received testimony in support of this measure from the Department of Health, Department of Transportation, Office of Hawaiian Affairs, and Honolulu Police Department. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that the appropriate sharing of vital records to be in the public interest, particularly to expedite law enforcement or judicial proceedings and also research to help define unique issues in the State. This measure will allow the Department of Health greater discretion to disclose vital records in certain circumstances for legitimate government and research functions.

Your Committee notes that this measure repeals the statutory requirement for the Department of Health to make index data, consisting of the name and sex of the registrant and type of vital event registered, accessible by the public. Your Committee finds that the value of this index data is greatly outweighed by the risks of identity theft and that because of computerization, index data is no longer necessary. Before the use of modern information technology systems such as large computer databases, these types of indices would have been printed on index cards to be used in a manner similar to library catalog cards for manual research in bound volumes or other hard copies; this information was also published as a matter of routine in newspapers. However, with a change in social attitudes toward increasing individual privacy, the computerization of records, and a rise in the risk of identity theft, your Committee finds that public access to index data is undesirable and it is therefore prudent to eliminate a no longer necessary or useful means to access indices for public health vital records.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 991, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 991, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (LoPresti, Tokioka, Ward).

SCRep. 900 Judiciary & Hawaiian Affairs on H.B. No. 490

The purpose of this measure is to:

- (1) Lower the age at which enhanced penalties apply for crimes against seniors from sixty-two years of age to sixty years of age; and
- (2) Make the commission of certain criminal offenses against a senior's person or property applicable if the perpetrator knows or reasonably should know the senior victim's age.

Your Committee received testimony in support of this measure from the Department of Human Services, Executive Office on Aging, Department of the Prosecuting Attorney of the County of Maui, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, Maui Police Department, and four individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that there have been a number of violent crimes targeting seniors in the State. Your Committee further finds that the State's senior citizens lack adequate protection against physical, emotional, and financial exploitation under existing law. This measure more closely aligns certain Penal Code statutes with common elder abuse scenarios, which will allow law enforcement and prosecutors to appropriately respond.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 3021, to encourage further discussion; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 490, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 490, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (D. Kobayashi, Takumi). Noes, none. Excused, none.

SCRep. 901 Finance on H.B. No. 1119

The purpose of this measure is to subject social welfare organizations granted tax exempt status under section 501(c)(4) of the Internal Revenue Code to the same requirements as other charitable organizations that solicit funds from the public pursuant to the law governing solicitation of funds from the public.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee has amended this measure by:

- (1) Removing the provisions that would have amended the law governing solicitation of funds from the public to subject social welfare organizations granted tax exempt status under section 501(c)(4) of the Internal Revenue Code to the same requirements as other charitable organizations that solicit funds from the public;
- (2) Requiring social welfare organizations granted tax exempt status under 501(c)(4) of the Internal Revenue Code that donate or contribute to noncandidate committees, engage in electioneering communications, or provide an endorsement for or against a candidate to register with the Campaign Spending Commission and file organizational and financial reports; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1119, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1119, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 902 Finance on H.B. No. 474

The purpose of this measure is to preserve access to health care for Medicaid recipients by extending the Hospital Sustainability Program.

Your Committee received testimony in support of this measure from Hawai'i Pacific Health, Hawaii Primary Care Association, Healthcare Association of Hawaii, The Queen's Health Systems, and Kaiser Permanente Hawaii. Your Committee received comments on this measure from the Department of Human Services.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 474, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 474, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 903 Finance on H.B. No. 476

The purpose of this measure is to:

- (1) Impose a fifty percent tax on the wholesale price for each modified risk tobacco product sold, used, or possessed by a wholesaler;
- (2) Impose an excise tax on the sale of each e-liquid cartridge or unit of open system e-liquid sold, used, or possessed by a wholesaler or dealer and require reports regarding e-liquid cartridges or units of open system e-liquid; and
- (3) Require wholesalers and dealers of e-liquids to obtain licenses and permits.

Your Committee received testimony in support of this measure from the Hawaii Substance Abuse Coalition. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii, Namaste Vapors, Hawaii Smokers Alliance, Smoke-Free Alternatives Trade Association, VOLCANO Vape Shops, Americans for Tax Reform, and numerous individuals. Your Committee received comments on this measure from the Department of Taxation, Department of Health, American Heart Association, Hawaii State Teachers Association, American Cancer Society Cancer Action Network, Tax Foundation of Hawaii, Coalition for a Tobacco-Free Hawaii, Grassroot Institute of Hawaii, AlohaCare, Campaign for Tobacco-Free Kids, American Lung Association in Hawaii, and five individuals.

Your Committee has amended this measure by:

- (1) Providing that the excise tax for every wholesaler shall be equal to fifty percent of the applicable cigarette tax or tobacco products tax for each modified risk tobacco product sold, used, or possessed by a wholesaler; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 476, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 476, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, McDermott).

SCRep. 904 Finance on H.B. No. 345

The purpose of this measure is to require the Family Court to appoint, at the time that an Assisted Community Treatment Program petition is filed, a guardian ad litem to represent the best interests of the individual who is subject to the petition throughout the pendency of the judicial proceedings.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Substance Abuse Coalition, Partners In Care, 'Ohana Health Plan, and four individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness; Judiciary; Office of the Public Defender; The Institute for Human Services, Inc.; and one individual.

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.B. No. 345, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 905 Finance on H.B. No. 570

The purpose of this measure is to:

- (1) Expand the time period by which a civil action for childhood sexual abuse may be initiated;
- (2) Extend the period during which a victim of childhood sexual abuse may bring an otherwise time-barred action against the victim's abuser or a legal entity having a duty of care;
- (3) Allow victims to recover treble damages in certain circumstances; and
- (4) Allow a court to order the personnel of a legal entity against whom a claim is brought to undergo training on trauma-informed response to sexual abuse allegations.

Your Committee received testimony in support of this measure from the Domestic Violence Action Center, Rainbow Family 808, Imua Alliance, CHILD USA, CHILD USA Advocacy, Planned Parenthood Votes Northwest and Hawaii, and two individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of the Attorney General, Hawai'i State Commission on the Status of Women, Sex Abuse Treatment Center, and one individual.

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.B. No. 570, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 906 Finance on H.B. No. 728

The purpose of this measure is to provide for a more coordinated and cost-effective statewide language access program by allowing the Executive Director of the Office of Language Access to have greater flexibility in administering the Statewide Language Access Resource Center.

Your Committee received testimony in support of this measure from the Language Access Advisory Council, Ethnic Education Hawai'i, Hawai'i Friends of Civil Rights, Legal Clinic Advocacy Committee, Hawai'i Coalition for Immigrant Rights, Interagency Council, and four individuals. Your Committee received comments on this measure from the Department of Health, Department of Human Services, and Office of Language Access.

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.B. No. 728, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 907 Finance on H.B. No. 1283

The purpose of this measure is to:

- (1) Require the employers of first responders to develop and provide dementia training to first responders; and
- (2) Authorize the Executive Office on Aging to set standards, frequency, and coordination of dementia training.

Your Committee received testimony in support of this measure from AARP Hawai'i, Alzheimer's Association - Hawaii, and ten individuals. Your Committee received testimony in opposition to this measure from the Honolulu Police Department. Your Committee received comments on this measure from the Executive Office on Aging.

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.B. No. 1283, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (B. Kobayashi). Noes, none. Excused, none.

SCRep. 908 Finance on H.B. No. 1284

The purpose of this measure is to:

- (1) Require health insurance providers that provide health benefits plans funded by the Hawaii Employer-Union Health Benefits Trust Fund or the state Medicaid agency and health insurance providers providing Medicare Advantage health benefits to submit administrative data to the Health Analytics Program of the Department of Human Services; and
- (2) Require the Health Analytics Program to develop and update an annual plan for the analysis, maintenance, and publication of collected all-claims, all-payer administrative data.

Your Committee received testimony in support of this measure from the Department of Human Services and Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees.

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.B. No. 1284, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 909 Finance on H.B. No. 1322

The purpose of this measure is to establish a task force within the Department of Health to develop and make recommendations for trauma-informed care in the State.

Your Committee received testimony in support of this measure from the Department of Human Services; Office of Hawaiian Affairs; Executive Office on Early Learning; Hawaii Youth Services Network; HawaiiKidsCAN; Kamehameha Schools; Hawaii Children's Action Network Speaks!; Early Childhood Action Strategy; Hawai'i Primary Care Association; Hale Kipa; Hawai'i Community Foundation; and Papa Ola Lokahi. Your Committee received comments on this measure from the Department of Health, Hawaii Substance Abuse Coalition, and one individual.

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.B. No. 1322, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 910 Judiciary & Hawaiian Affairs on H.B. No. 576

The purpose of this measure is to authorize licensed advanced practice registered nurses to perform medication or aspiration abortions.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, Board of Nursing, one member of the Hawai'i County Council, Women's Caucus and LGBT Caucus of the Democratic Party of Hawai'i, AAUW of Hawaii, Hawai'i Health & Harm Reduction Center, Pono Hawai'i Initiative, Young Progressives Demanding Action, Hudson Law, Planned Parenthood Votes Northwest and Hawai'i, Hawai'i Section of the American College of Obstetricians and Gynecologists, American Civil Liberties Union of Hawai'i, Hawaii Maternal and Infant Health Collaborative, Hawai'i Association of Professional Nurses, and numerous individuals. Your Committee received testimony in opposition to this measure from A Place for Women in Waipio, Hawaii Life Alliance, Hawaii Family Forum, AFC, and numerous individuals. Your Committee received comments on this measure from the Hawai'i State Center Nursing and Common Cause Hawaii.

Your Committee finds that residents in rural and medically underserved areas of the State, including on Kauai, Molokai, Lanai, and the west side of the island of Hawaii, may not have access to health care providers who can provide abortion care. Your Committee further finds that aspiration abortions are one of the most common methods of abortion for early first trimester abortions. However, under existing law, only licensed physicians and surgeons may perform aspiration abortions. Numerous studies found no difference in abortion safety when performed by a qualified licensed health care provider other than a physician. This measure ensures that people in Hawaii can access abortion care with fewer financial and logistical barriers and stay in their respective communities to get care from trusted providers.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 576, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 576, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, 1 (Ward). Excused, 2 (Takumi, Tokioka).

SCRep. 911 Finance on H.B. No. 33

The purpose of this measure is to support the Information Technology Steering Committee in developing the State's information technology standards and policies by:

- (1) Amending the terms and composition of the Information Technology Steering Committee members; and
- (2) Requiring the Information Technology Steering Committee's Chief Information Officer to present an annual report to the Committee for public comment prior to submitting the report to the Governor and the Legislature.

Your Committee received testimony in support of this measure from the Department of Education and Transform Hawai'i Government. Your Committee received comments on this measure from the Department of the Attorney General and Office of Enterprise Technology Services.

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.B. No. 33, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 912 Finance on H.B. No. 389

The purpose of this measure is to require accredited and non-accredited post-secondary educational institutions that are for-profit entities authorized by the Hawaii Post-secondary Education Authorization Program to disclose in print and electronic media and signage that they are for-profit businesses.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs' Office of Consumer Protection, Department of Commerce and Consumer Affairs' Post-Secondary Education Authorization Program, and two individuals. Your Committee received testimony in opposition to this measure from the University of Phoenix and Hawaii Medical College. Your Committee received comments on this measure from the Institute of Clinical Acupuncture and Oriental Medicine and Chamber of Commerce Hawaii.

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.B. No. 389, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 913 Finance on H.B. No. 290

The purpose of this measure is to repeal the military exemption for vehicle weight taxes on June 30, 2031.

Your Committee received testimony in support of this measure from the Department of Transportation, Pono Hawai'i Initiative, Young Progressives Demanding Action, Hawai'i Appleseed Center for Law & Economic Justice, and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of Defense, Gaylord-Dillingham Chapter of the Military Order of World Wars, Hawaii National Guard Association, and numerous individuals. Your Committee received comments on this measure from the Tax Foundation of Hawaii and one individual.

Your Committee has amended this measure by changing the exemption repeal date to June 30, 2023.

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.B. No. 290, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 290, H.D. 2.

Signed by the Chair on behalf of the Committee.
 Ayes, 12. Noes, 3 (Branco, Ilagan, McDermott). Excused, none.

SCRep. 914 Finance on H.B. No. 1352

The purpose of this measure is to require the Office of Planning to submit a report to the Legislature containing the following:

- (1) An inventory of lands within the State that are leased from the federal government or under federal government control, to be prepared by the Department of Land and Natural Resources;
- (2) Any known contaminants or environmental hazards discovered on the inventoried lands or associated with past environmental studies performed in connection with those lands, to be prepared by the Department of Health in consultation with the Environmental Protection Agency;
- (3) Input from departments and agencies on proposed alternative uses for the lands; and
- (4) Its findings and recommendations, including any proposed legislation, based on the information above.

Your Committee received testimony in support of this measure from the Pono Hawai'i Initiative, Environmental Caucus of The Democratic Party of Hawai'i, Aina Momona, Keiko Conservation, alohahawaiionipaa.org, and numerous individuals. Your Committee received comments on this measure from the Office of Hawaiian Affairs and one individual.

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.B. No. 1352, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
 Ayes, 15; Ayes with Reservations (McDermott). Noes, none. Excused, none.

SCRep. 915 Finance on H.B. No. 770

The purpose of this measure is to protect the health of Hawaii's consumers by establishing a task force to review the State's food security and food safety practices.

Your Committee received comments on this measure from the Department of Agriculture and University of Hawai'i System.

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.B. No. 770, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
 Ayes, 15. Noes, none. Excused, none.

SCRep. 916 Finance on H.B. No. 11

The purpose of this measure is to advance equality in Hawaii's public education system by requiring:

- (1) The Board of Education to adopt culturally relevant, historically and scientifically accurate, and nondiscriminatory performance standards;
- (2) A standards-based curriculum and educational materials that are historically and scientifically accurate and nondiscriminatory with regard to race, ethnicity, sex, gender identity or expression, sexual orientation, color, religion, ancestry, or disability; and
- (3) School complexes to develop, to the greatest extent possible, a standards-based curriculum that includes content on the historical injustice, cultural subjugation, and discrimination faced by the indigenous people of Hawaii and other historically underrepresented populations as applicable to units of study.

Your Committee received testimony in support of this measure from the Department of Education, Office of Hawaiian Affairs, and two individuals.

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.B. No. 11, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
 Ayes, 15. Noes, none. Excused, none.

SCRep. 917 Finance on H.B. No. 225

The purpose of this measure is to:

- (1) Require the Board of Education to develop a bullying prevention and response action plan;
- (2) Require the Board of Education, or the Department of Education as the Board of Education's designee, to submit an annual report to the Legislature on the bullying prevention and response action plan and reported incidents of alleged bullying and harassment; and
- (3) Repeal Act 214, Session Laws of Hawaii 2011, which required the Board of Education to monitor the Department of Education for compliance with any administrative rules or statutes governing bullying, cyberbullying, and harassment.

Your Committee received testimony in support of this measure from the Rainbow Family 808, Hawaii Disability Rights Center, Hawaii Youth Services Network, and two individuals. Your Committee received comments on this measure from the Department of Education and Board 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 is in accord with the intent and purpose of H.B. No. 225, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
 Ayes, 15; Ayes with Reservations (Branco, Perruso, Sayama, Tam). Noes, none. Excused, none.

SCRep. 918 Finance on H.B. No. 613

The purpose of this measure is to appropriate elementary and secondary school emergency relief fund monies received by the State from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, and the Coronavirus Response and Relief Supplemental Appropriations Act, 2021, Public Law 116-260, to offset any budget reductions for fiscal year 2020-2021, 2021-2022, and 2022-2023 that are identified or proposed by the Department of Education and the Governor that would result in the reduction of personnel who are subject to a collective bargaining agreement pursuant to chapter 89, Hawaii Revised Statutes, and who are employed at the school level, subject to certain requirements and conditions.

Your Committee received testimony in support of this measure from the Democratic Party of Hawai'i Education Caucus, Hui for Excellence in Education, Hawaii State Teachers Association, and seven individuals. Your Committee received comments on this measure from the Board of Education and 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 is in accord with the intent and purpose of H.B. No. 613, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 919 Finance on H.B. No. 1362

The purpose of this measure is to:

- (1) Establish the Hawaii Early Childhood Educator Stipend Program; and
- (2) Clarify and make adjustments to Act 46, Session Laws of Hawaii 2020, which relates to access to learning, to reflect the current situation brought upon by the COVID-2019 pandemic, including:
 - (A) Delaying the expansion of the Preschool Open Doors Program to serve three-year-old children to July 1, 2024;
 - (B) Extending the deadline for a service provider of the Preschool Open Doors Program to commence national accreditation by two years;
 - (C) Requiring the application of a uniform assessment for public school and charter school kindergarten students;
 - (D) Extending the effective date for the Department of Education and State Public Charter School Commission to share certain information on prior early learning program attendance to July 1, 2023; and
 - (E) Allowing educational data to be shared using an existing system.

Your Committee received testimony in support of this measure from the Early Learning Board; Hawaii Children's Action Network Speaks!; Hui for Excellence in Education; Special Education Advisory Council; Parents and Children Together; and Early Childhood Action Strategy. Your Committee received comments on this measure from the Department of the Attorney General, Department of Human Services, Department of Education, State Public Charter School Commission, Executive Office on Early Learning, and Kamehameha Schools.

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.B. No. 1362, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 920 Finance on H.B. No. 558

The purpose of this measure is to:

- (1) Create the Clean Energy and Energy Efficiency Revolving Loan Fund within the Hawaii Green Infrastructure Special Fund;
- (2) Expand the objective of the \$50,000,000 sub-fund to allow state agencies to finance their purchase options under existing energy performance contracts and power purchase agreements to further reduce and stabilize future energy costs;
- (3) Repeal the Building Energy Efficiency Revolving Loan Fund; and
- (4) Appropriate funds out of the Clean Energy and Energy Efficiency Revolving Loan Fund to make clean energy investment loans or for other approved uses.

Your Committee received testimony in support of this measure from the Hawaii Green Infrastructure Authority, Blue Planet Foundation, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Commerce and Consumer Affairs, Hawaii State Energy Office, Public Utilities Commission, and City and County of Honolulu Office of Climate Change, Sustainability and Resiliency.

Your Committee has amended this measure by:

- (1) Clarifying that any unencumbered balance in the repealed Building Efficiency Revolving Loan Fund shall be transferred to the credit of the Clean Energy and Energy Efficiency Revolving Loan Fund;
- (2) Changing the Clean Energy and Energy Efficiency Revolving Load Fund expenditure ceiling to an unspecified amount; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 558, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 558, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 921 Finance on H.B. No. 78

The purpose of this measure is to eliminate the requirement for a public utility to seek approval from the Public Utilities Commission for the underground construction of high-voltage electric transmission lines, if certain conditions are met.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs and Hawaiian Electric Company. Your Committee received comments on this measure from the Public Utilities Commission.

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.B. No. 78, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 922 Finance on H.B. No. 327

The purpose of this measure is to:

- (1) Convene a Sustainable Aviation Fuel Task Force within the Hawaii State Energy Office to develop a state action plan to reduce the greenhouse gas intensity of international air transportation from Hawaii; and
- (2) Require the Task Force and Hawaii State Energy Office to submit reports to the Legislature.

Your Committee received testimony in support of this measure from Imua Alliance, Environmental Caucus and Human Environmental Impacts Committee of The Democratic Party of Hawai'i, Hawaii Crop Improvement Association, Biotechnology Innovation Organization, and three individuals. Your Committee received comments on this measure from the Office of Planning, Hawaii State Energy Office, Hawai'i Natural Energy Institute of the University of Hawai'i at Mānoa, Climate Protectors Hawaii, 350Hawaii.org, and Airlines for America.

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.B. No. 327, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (McDermott). Noes, none. Excused, none.

SCRep. 923 Finance on H.B. No. 803

The purpose of this measure is to:

- (1) Authorize each county to adopt ordinances to enforce state laws relating to the designation of parking spaces for electric vehicles, including the establishment of penalties;
- (2) Increase the number of required parking spots for electric vehicles from one space to five spaces in certain places of public accommodation;
- (3) Beginning January 1, 2022, require that new electric vehicle charging systems installed pursuant to the electric vehicle charging system requirements be at least Level 2 and network-capable;
- (4) Require electric vehicle charging systems to be maintained in working order; and
- (5) Clarify that certain enforcement officers may enter private property to enforce electric vehicle parking space violations.

Your Committee received testimony in support of this measure from the Department of Transportation; Hawaii State Energy Office; Kauai Climate Action Coalition; Ulupono Initiative; 350Hawaii.org; Hawaii Electric Vehicle Association; Our Revolution Hawaii; Blue Planet Foundation; Environmental Caucus and Human Environmental Impacts Committee of The Democratic Party of Hawai'i; Tesla, Inc.; Hawaiian Electric Company; and numerous individuals. Your Committee received testimony in opposition to this measure from the Building Owners and Managers Association of Hawaii, Retail Merchants of Hawaii, and one individual.

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.B. No. 803, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, 1 (McDermott). Excused, none.

SCRep. 924 Finance on H.B. No. 1092

The purpose of this measure is to establish procedures for the Department of Transportation, in consultation with the Office of Planning, to assist and enable a person to voluntarily purchase a verified carbon offset for carbon dioxide emissions resulting from the person's air travel to or from an airport in the State.

Your Committee received testimony in support of this measure from the Blue Planet Foundation. Your Committee received testimony in opposition to this measure from 350Hawaii.org. Your Committee received comments on this measure from the Department of Transportation, Office of Planning, and Climate Protectors Hawaii.

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.B. No. 1092, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 925 Finance on H.B. No. 331

The purpose of this measure is to improve the quality of life in the State by:

- (1) Establishing objectives, policies, and priority guidelines in the Hawaii State Planning Act to promote the use of green infrastructure, vegetation, and trees in state facility systems, infrastructure, and transit projects; and
- (2) Requiring the Office of Planning, in partnership with the Greenhouse Gas Sequestration Task Force, to report to the Legislature with recommendations for implementing the green infrastructure objectives, policies, and priority guidelines.

Your Committee received testimony in support of this measure from the Department of Health; Painting Industry of Hawaii Labor Management Cooperation Trust Fund; Hawaii Tapers Market Recovery Trust Fund; Hawaii Glaziers, Architectural Metal Glassworkers Local Union 1889, AFL-CIO Stabilization Trust Fund; Carpet, Linoleum and Soft Tile Local Union 1926 Market Recovery Trust Fund; Energy and Climate Action Committee of the Environmental Caucus of The Democratic Party of Hawai'i; Climate Protectors Hawaii; Environmental Caucus of The Democratic Party of Hawai'i; 350Hawaii.org; and five individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Office of Planning, and Trees for Honolulu's Future.

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.B. No. 331, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (McDermott). Noes, none. Excused, none.

SCRep. 926 Finance on H.B. No. 882

The purpose of this measure is to:

- (1) Require purchasing agencies to make a written determination that the amount of a contracting action for purchases of health and human services is fair and reasonable;

- (2) Amend the selection process and composition of the Procurement Policy Board;
- (3) Amend the circumstances for when treatment services may be purchased and the procedure to purchase certain treatment services;
- (4) Increase the small purchase threshold for purchases of health and human services from less than \$25,000 to less than \$100,000; and
- (5) Repeal the establishment of the Community Council on Purchase of Health and Human Services.

Your Committee received testimony in support of this measure from the State Procurement Office. Your Committee received testimony in opposition to this measure from the Hawaii Substance Abuse Coalition, PHOCUSED, and one individual. Your Committee received comments on this measure from the Domestic Violence Action Center and Catholic Charities Hawai'i.

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.B. No. 882, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 927 Finance on H.B. No. 80

The purpose of this measure is to:

- (1) Clarify how the Low-Income Housing Tax Credit may be allocated among partners or members of a taxpayer;
- (2) Allow a taxpayer to claim the Low-Income Housing Tax Credit for the first year under certain conditions;
- (3) Specify the application of certain tax provisions with respect to low-income buildings placed in service after December 31, 2020; and
- (4) Extend the sunset date of Act 129, Session Laws of Hawaii 2016, to December 31, 2027.

Your Committee received testimony in support of this measure from EAH Housing; Stanford Carr Development, LLC; Bank of Hawaii; Schatz Collaborative; Dowling Company, Inc.; Hawaii Laborers-Employers Cooperation and Education Trust; Pacific Resource Partnership; Maui Chamber of Commerce; Hawai'i Appleseed Center for Law & Economic Justice; Hawaii Laborers' Union Local 368; and Moss & Associates. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Hawaii Housing Finance and Development Corporation, Tax Foundation of Hawaii, Sugar Creek Capital, Hunt Companies – Hawaii, Hunt Capital Partners LLC, Āhē Group, and Affordable Housing Development Hawaii, LLC.

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.B. No. 80, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 928 Finance on H.B. No. 131

The purpose of this measure is to:

- (1) Increase the amount of the tax credit and adjusted gross income eligibility thresholds for taxpayers claiming the low-income household renters income tax credit; and
- (2) Provide for inflation increases every three years based on the Consumer Price Index.

Your Committee received testimony in support of this measure from the League of Women Voters, Americans for Democratic Action, Hawai'i Children's Action Network Speaks!, and one individual. Your Committee received comments on this measure from the Department of Taxation and 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 is in accord with the intent and purpose of H.B. No. 131, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 929 Finance on H.B. No. 1132

The purpose of this measure is to authorize the issuance of general obligation bonds for Phase I of construction of a senior affordable housing project on Hawaii Public Housing Authority property on School Street on the island of Oahu.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Hawaii Public Housing Authority, AARP Hawaii, AlohaCare, Catholic Charities Hawai'i, Partners in Care, Hawaiian Humane Society, Retirement Housing Foundation, Hawai'i Health & Harm Reduction Center, and three individuals.

Your Committee has amended this measure by:

- (1) Changing the amounts appropriated into and out of the Rental Housing Revolving Fund to unspecified amounts; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1132, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1132, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 930 Finance on H.B. No. 149

The purpose of this measure is to clarify that county-issued stored-value cards are not subject to the State's law that outlines unfair and deceptive practices with respect to gift certificates.

Your Committee received testimony in support of this measure from the Department of Transportation Services of the City and County of Honolulu.

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.B. No. 149, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 931 Finance on H.B. No. 160

The purpose of this measure is to subject U-drive motor vehicles to the same motor vehicle registration fees as other motor vehicles.

Your Committee received testimony in support of this measure from the Department of Finance of the County of Kaua'i, one member of the Kaua'i County Council, Patrol Services Bureau of the Kauai Police Department, and Hawaii State Association of Counties.

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.B. No. 160, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (McDermott). Noes, none. Excused, none.

SCRep. 932 Finance on H.B. No. 161

The purpose of this measure is to authorize the Director of Finance of a county to require an individual to pay any outstanding charges owed to the county for the towing, removal, or disposal of an abandoned or derelict vehicle within the county before a motor vehicle certificate of registration is issued to the individual unless the abandoned or derelict vehicle was stolen or taken from the registered owner without permission or authorization.

Your Committee received testimony in support of this measure from one member of the Kaua'i County Council, one member of the Maui County Council, Finance Department of the County of Kaua'i, Patrol Services Bureau of the Kaua'i Police Department, Hawaii State Association of Counties, and one individual. Your Committee received comments on this measure from one individual.

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.B. No. 161, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (McDermott). Noes, none. Excused, none.

SCRep. 933 Finance on H.B. No. 189

The purpose of this measure is to authorize the Chief Justice of the Hawaii Supreme Court to designate circuit court judges, retired intermediate appellate judges, or retired supreme court justices to temporarily fill a vacancy on the Intermediate Court of Appeals.

Your Committee received testimony in support of this measure from the Judiciary and Appellate Section of the Hawaii State Bar Association.

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.B. No. 189 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 934 Finance on H.B. No. 204

The purpose of this measure is to appropriate funds for the 2021-2023 fiscal biennium for certain operating expenses of the Office of Hawaiian Affairs.

Your Committee received testimony in support of this measure from the Kūpuna for the Mo'opuna, Hawaiian Affairs Caucus of the Democratic Party of Hawai'i, and thirteen individuals. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

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.B. No. 204 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 935 Finance on H.B. No. 929

The purpose of this measure is to clarify that:

- (1) Hawaii domestic relations orders apply to benefits the Employees' Retirement System member is expected to receive or is receiving without regard to any Hawaii domestic relations order;
- (2) The release of an Employees' Retirement System member's information may be initiated by a divorce decree;
- (3) The Employees' Retirement System may notify the member, former member with vested benefit status, retirant, or alternate payee of the advisory review determination on proposed domestic relations orders;
- (4) A Hawaii domestic relations order applied to a termination refund will not apply to any future return to work benefits of a member or former member with vested benefit status;
- (5) Should a retirant be deceased within a year of retirement, any payments made to an alternate payee according to the terms of a Hawaii domestic relations order will be considered payments to the retirant, should the beneficiary select an alternative benefit option;
- (6) The priority of multiple orders will be based upon the date of the receipt of the domestic relations order; and
- (7) The qualification of a domestic relations order shall supersede and terminate the qualification of any prior order between the same parties.

Your Committee received testimony in support of this measure from the Employees' Retirement System Board of Trustees.

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.B. No. 929, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 936 Finance on H.B. No. 683

The purpose of this measure is to support the greenhouse gas lifecycle reduction of commercial aviation in the State by:

- (1) Establishing a Sustainable Aviation Fuel Program to provide matching grants to any small business in Hawaii that is developing products related to sustainable aviation fuel or greenhouse gas reduction from commercial aviation operations; and
- (2) Specifying that monies for the Program may be appropriated by the Legislature from the Environmental Response, Energy, and Food Security Tax revenues.

Your Committee received testimony in support of this measure from the Climate Protectors Hawaii, Airlines for America, Hawaii Biochemical Trade Organization, and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Office of Planning, Hawaii State Energy Office, Hawaii Technology Development Corporation, and Tax Foundation of Hawaii.

Your Committee has amended this measure by:

- (1) Removing the provision that monies for the Sustainable Aviation Fuel Program may be appropriated by the Legislature from the Environmental Response, Energy, and Food Security Tax revenues; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 683, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 683, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Nishimoto).

SCRep. 937 Finance on H.B. No. 862

The purpose of this measure is to:

- (1) Abolish the Office of Aerospace Development, Aerospace Advisory Committee, and the Hawaii Unmanned Aerial Systems Test Site Advisory Board; and
- (2) Make conforming amendments associated with the Pacific International Space Center for Exploration Systems.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Education; Department of Business, Economic Development, and Tourism; and Pacific International Space Center for Exploration Systems.

Your Committee has amended this measure by:

- (1) Specifying that the Pacific International Space Center for Exploration Systems shall be administratively attached to the University of Hawaii at Hilo Imiloa rather than the Department of Business, Economic Development, and Tourism;
- (2) Removing the reporting requirement for the Pacific International Space Center for Exploration Systems; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 862, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 862, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 938 Finance on H.B. No. 119

The purpose of this measure is to replace E Ola Mau Na Leo O Kekaha with Kaunalewa as the entity authorized to receive special purpose revenue bonds issued to assist with the acquisition, remediation, and development of the old Kekaha Sugar Mill in Kekaha, Kauai, Hawaii.

Your Committee received testimony in support of this measure from Kaunalewa. Your Committee received comments on this measure from the Department of Budget and Finance.

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.B. No. 119, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Nishimoto).

SCRep. 939 Finance on H.B. No. 1176

The purpose of this measure is to establish and appropriate funds for a State Job Corps Program within the Department of Labor and Industrial relations to help address unemployment impacts of the COVID-19 pandemic, support economic diversification, and focus on resiliency and green sector jobs.

Your Committee received testimony in support of this measure from the Department of Research and Development of the County of Hawaii; one member of the Hawai'i County Council; Kua'Aina Ulu 'Auamo; Beach Environmental Awareness Campaign Hawaii; Ho'omana Farms LLC; Beyond Organic Consulting, Inc.; Mindful Hawaii; Young Democrats of Hawai'i; Kua O Ka La NCPCS; Chamber of Commerce Hawaii; 'Aina Momona; Kupu; HPM Building Supply; Hawai'i Sustainable Farms LLC; Hawaii Fish Company; International Longshore & Warehouse Union Local 142; Vibrant Hawaii; and eighteen individuals. Your Committee received comments on this measure from the Department of Labor and Industrial Relations and Hawaii's Thousand Friends.

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.B. No. 1176, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 940 Finance on H.B. No. 1184

The purpose of this measure is to exempt the sale of precious metal bullion within the State from the general excise tax.

Your Committee received testimony in support of this measure from the Sound Money Defense League and two individuals. Your Committee received testimony in opposition to this measure from Americans for Democratic Action. Your Committee received comments on this measure from the Department of Taxation; Tax Foundation of Hawaii; Foundation for the Advancement of Monetary Education, Ltd; Industry Council for Tangible Assets, Inc.; and Liberty Coin Service.

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.B. No. 1184, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, 4 (Marten, Perruso, Sayama, Tam). Excused, none.

SCRep. 941 Finance on H.B. No. 1388

The purpose of this measure is to:

- (1) Eliminate the home mortgage interest deduction for second homes under the Hawaii income tax law; and
- (2) Require the Department of Budget and Finance, in consultation with the Department of Taxation, to report to the Legislature on the administration of this measure.

Your Committee received testimony in support of this measure from the Americans for Democratic Action. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS and two individuals. Your Committee received comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, and Grassroot Institute 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 is in accord with the intent and purpose of H.B. No. 1388, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, 1 (McDermott). Excused, none.

SCRep. 942 Finance on H.B. No. 1027

The purpose of this measure is to:

- (1) Establish the Marine Life Conservation District Special Fund for the collection and use of monies for the management, protection, restoration, and enhancement of the State's marine life conservation districts and the resources contained within; and
- (2) Authorize the Department of Land and Natural Resources to collect fees for the use of marine life conservation districts and the resources contained within, subject to certain conditions.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs and two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Parks and Recreation of the City and County of Honolulu, Friends of Hanauma Bay, Hawaii Reef and Ocean Coalition, and Ocean Tourism Coalition.

Your Committee has amended this measure by:

- (1) Including a five-year sunset for the Marine Life Conservation District Special Fund; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1027, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1027, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 943 Finance on H.B. No. 497

The purpose of this measure is to prohibit the counties from requiring, as part of a county zoning ordinance or county rule, a developer with more than one residential unit to obtain the approval of any state agency unless that approval is expressly required by law.

Your Committee received testimony in support of this measure from the Dowling Company, Inc.; HPM Building Supply; and Building Industry Association of Hawaii. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs, one member of the Maui County Council, Sierra Club of Hawai'i, Maui Meadows Neighborhood Association, Friends of Maha'u Lepu, Kihei Community Association, and four individuals. Your Committee received comments on this measure from the Office of Planning.

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.B. No. 497, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, 4 (Eli, Marten, Perruso, Wildberger). Excused, none.

SCRep. 944 Finance on H.B. No. 601

The purpose of this measure is to improve public safety and efficiency by authorizing county police chiefs to designate other county employees to cite for certain traffic violations.

Your Committee received testimony in support of this measure from the Department of Transportation, Office of the Mayor of the County of Kaua'i, Waikiki Neighborhood Board, Hanalei Initiative, National Tropical Botanical Garden, and one individual. Your Committee received comments on this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

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.B. No. 601, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 945 Finance on H.B. No. 753

The purpose of this measure is to exclude housing developed by the Department of Hawaiian Home Lands from school impact fees.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and Office of Hawaiian Affairs. Your Committee received comments on this measure from the Department of Education and 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 is in accord with the intent and purpose of H.B. No. 753, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 946 Finance on H.B. No. 821

The purpose of this measure is to authorize the State Historic Preservation Division, in consultation with the Office of Hawaiian Affairs, to delegate the responsibility of historic preservation project reviews to the impacted county and establish a program for third-party individuals and organizations to conduct document reviews on proposed projects before submitting the documents to the Department of Land and Natural Resources for review.

Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and Building Industry Association of Hawaii. Your Committee received comments on this measure from the Department of Land and Natural Resources; Office of Hawaiian Affairs; Dowling Company, Inc.; and Maui Chamber of Commerce.

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.B. No. 821, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 947 Finance on H.B. No. 1008

The purpose of this measure is to clarify conditions that must be met by applicants to receive funds under the Forest Stewardship Program.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources.

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.B. No. 1008, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 948 Finance on H.B. No. 1012

The purpose of this measure is to authorize the Board of Land and Natural Resources to approve rental reductions or waivers for certain leases on public lands that require demolition or infrastructure improvement costs in order for the lessee to utilize the premises.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received testimony in opposition to this measure from Kūpuna for the Mo‘opuna.

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.B. No. 1012, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (Perruso, Wildberger). Noes, none. Excused, none.

SCRep. 949 Finance on H.B. No. 1018

The purpose of this measure is to authorize the Department of Land and Natural Resources to adopt rules for a lay net permit for the use or possession of lay nets, including reasonable fees and provisions to address noncompliance with lay net rules.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, The Nature Conservancy, and two individuals.

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.B. No. 1018, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 950 Finance on H.B. No. 1020

The purpose of this measure is to authorize the Board of Land and Natural Resources to temporarily adopt, amend, and repeal certain natural resource rules by formal board action at a publicly noticed meeting if the Board finds that the adoption, amendment, or repeal is necessary to implement effective and adaptive management measures in response to rapidly changing resource conditions.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Kua‘āina Ulu ‘Auamo, and one individual. Your Committee received comments on this measure from one individual.

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.B. No. 1020, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 951 Finance on H.B. No. 1023

The purpose of this measure is to help the State identify and develop sustainable sources of funding to effectively manage its fisheries by establishing a nonresident recreational marine fishing license and associated fees.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

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.B. No. 1023, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, 1 (McDermott). Excused, none.

SCRep. 952 Finance on H.B. No. 1122

The purpose of this measure is to amend the Hawaiian Homes Commission Act to give clarity and guidance to the Department of Hawaiian Home Lands in the management of homestead lands. Specifically, this measure:

- (1) Defines "beneficiary consultation" and determines when it is required;
- (2) Prohibits the Department of Hawaiian Home Lands from disposing of certain lands or extending a general lease to non-beneficiaries, unless there are no applicants seeking to enter into a lease for the use and occupancy of a tract of Hawaiian home lands;
- (3) Requires the Department of Hawaiian Home Lands to notify beneficiaries through beneficiary consultation before disposing of Hawaiian home lands or improvements thereon;
- (4) Mandates homestead beneficiary agreements for any trust land disposition;
- (5) Prohibits the Department of Hawaiian Home Lands from establishing additional criteria to enter into a lease with an applicant without notifying beneficiaries through beneficiary consultation;
- (6) Authorizes the Department of Hawaiian Home Lands to grant a license or enter into a general lease for public purpose or mercantile establishments;
- (7) Allocates the interest or other earnings from the Hawaiian Home Loan Fund and Hawaiian Home General Loan Fund into the respective funds;
- (8) Allows for the interest or other earnings out of investments from the Hawaiian Home Loan Fund to be deposited into the Hawaiian Home Operating Fund if the Department of Hawaiian Home Lands notifies beneficiaries through beneficiary consultation;
- (9) Requires the Department of Hawaiian Home Lands to make loans from revolving funds to any lessee or native Hawaiian to whom, or any cooperative association to which, a lease or license has been issued;
- (10) Requires the Department of Hawaiian Home Lands to submit a quarterly report to the Legislature and beneficiaries; and
- (11) Authorizes the Department of Hawaiian Home Lands to negotiate with homestead association governed water agencies to maintain water systems before other service providers.

Your Committee received testimony in support of this measure from the Sovereign Council of Hawaiian Homestead Associations, Kūpuna for the Mo'opuna, Kalama'ula Mauka Homestead Association, and one individual. Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

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.B. No. 1122, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (Holt). Noes, none. Excused, none.

SCRep. 953 Finance on H.B. No. 1124

The purpose of this measure is to amend the Hawaiian Homes Commission Act to:

- (1) Provide appraisal requirements for tracts or improvements thereon to determine replacement cost or leasehold market value;
- (2) Prohibit the Department of Hawaiian Home Lands from canceling a lease solely based on a loan delinquency or default subject to certain conditions;
- (3) Define "due notice" as it relates to the cancellation of leases or violation of lease conditions;
- (4) Allow the Department of Hawaiian Home Lands to authorize second position loans on homestead leases by approved lenders and United States Treasury-certified community development financial institutions; and
- (5) Require the Department of Hawaiian Home Lands to develop and implement a loan servicing manual, subject to Hawaiian Homes Commission approval, to standardize loan loss mitigation policies, procedures, and methods.

Your Committee received testimony in support of this measure from Sovereign Council of Hawaiian Homestead Associations and Kalama'ula Mauka Homestead Association. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

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.B. No. 1124, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 954 Finance on H.B. No. 1144

The purpose of this measure is to exempt from the general excise tax law amounts received from the interisland transportation and related loading and unloading of agricultural commodities.

Your Committee received testimony in support of this measure from the Maui County Farm Bureau; Ulupono Initiative; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; Maui Chamber of Commerce; and two individuals. Your Committee received comments on this measure from the Department of Taxation, Department of Agriculture, and 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 is in accord with the intent and purpose of H.B. No. 1144, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 955 Finance on H.B. No. 1276

The purpose of this measure is to:

- (1) Authorize the Board of Land and Natural Resources to adopt, amend, and repeal administrative fee schedules for the Division of State Parks within the Department of Land and Natural Resources by formal board action at a publicly noticed meeting; and
- (2) Raise the expenditure ceiling for the State Parks Special Fund.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

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.B. No. 1276, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (McDermott). Noes, none. Excused, none.

SCRep. 956 Finance on H.B. No. 1351

The purpose of this measure is to authorize the Department of Land and Natural Resources to establish and operate conservation mitigation banks to restore, create, enhance, or preserve conservation habitats or resources as compensatory mitigation where a person or entity is required to provide compensatory mitigation prospectively and the use of banked mitigation is approved by the agency requiring mitigation, or for past damages to conservation habitats or resources.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Environmental Caucus and Human Environmental Impacts Committee of the Democratic Party of Hawai'i, and four individuals.

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.B. No. 1351, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 957 Finance on H.B. No. 321

The purpose of this measure is to:

- (1) Repeal the allocation of excess transient accommodations tax revenues that are going to the Turtle Bay Conservation Easement Special Fund, Hawaiian Center and the Museum of Hawaiian Music and Dance, counties, and Special Land and Development Fund;
- (2) Repeal the 0.5 percent allocation for the Tourism Special Fund to provide funding for a safety and security budget; and
- (3) Amend the allocations to the Convention Center Enterprise Special Fund and Tourism Special Fund.

Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources, Mayor of the County of Maui, one member of the Kaua'i County Council, one member of the Hawai'i County Council, one member of the Maui County Council, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Hawai'i Tourism Authority, Tax Foundation of Hawaii, and Kohala Coast Resort Association.

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.B. No. 321, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (Perruso, Tam, Wildberger). Noes, none. Excused, 1 (McDermott).

SCRep. 958 Finance on H.B. No. 1296

The purpose of this measure is to:

- (1) Repeal the Tobacco Enforcement Special Fund, Hawaii Tobacco Settlement Special Fund, and Hawaii Tobacco Prevention and Control Trust Fund and transfer the unencumbered balances of these funds to the general fund; and
- (2) Appropriate general fund monies into the University Revenue-Undertakings Fund.

Your Committee received testimony in support of this measure from the Hawaii Smokers Alliance and fifteen individuals. Your Committee received testimony in opposition to this measure from the Department of the Attorney General; Department of Health; Department of Budget and Finance; University of Hawai'i System; University of Hawai'i at Mānoa John A. Burns School of Medicine; University of Hawai'i Student Health Advisory Council; Office of the Prosecuting Attorney of the County of Hawai'i; American Heart Association; We Are One, Inc.; Blue Zones Project; Hawaii Substance Abuse Coalition; American Academy of Pediatrics, Hawaii Chapter; Hawaii Disability Rights Center; Friends of the Medical School; Kapi'olani Smokefree Families Program; Kapi'olani Medical Center for Women and Children; Hawaii COPD Coalition; Hawaii Primary Care Association; Boys & Girls Clubs of Maui; Hamakua-Kohala Health; Campaign for Tobacco-Free Kids; Coalition for a Tobacco-Free Hawai'i; American Cancer Society Cancer Action Network; Hawai'i Community Foundation; HOPE Services; Kōkua Kalihi Valley Comprehensive Family Services; American Lung Association in Hawaii; Keiki Injury Prevention Coalition; Adventist Health Castle; and numerous individuals. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee has amended this measure by:

- (1) Retaining existing tobacco settlement monies deposit allocations in statute;
- (2) Retaining in statute the Tobacco Enforcement Special Fund and Hawaii Tobacco Settlement Special Fund;

- (3) Specifying that Hawaii Tobacco Settlement Special Fund monies shall only be deposited into the University Revenue-Undertakings Fund until July 1, 2033;
- (4) Appropriating \$5,700,000 to the Department of Health for tobacco prevention and control purposes; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1296, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1296, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, 1 (Ilagan). Excused, none.

SCRep. 959 Finance on H.B. No. 1297

The purpose of this measure is to:

- (1) Make certain special funds subject to the five percent deduction into the general fund for central service expenses;
- (2) Repeal the Community Health Centers Special Fund and Emergency Medical Services Special Fund;
- (3) Transfer to the credit of the general fund any amounts allocated to the Community Health Centers Special Fund and Emergency Medical Services Special Fund, including amounts allocated to those funds from the cigarette tax and tobacco tax;
- (4) Transfer to the credit of the general fund surcharges and cigarette tax revenue allocated to the Trauma System Special Fund; and
- (5) Make a general fund appropriation to the Department of Health for operating expenses.

Your Committee received testimony in support of this measure from the Center for Hawaiian Sovereignty Studies. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources; Department of Education; Department of Budget and Finance; Department of Public Safety; Department of Transportation; Department of Defense; Office of Enterprise Technology Services; University of Hawai'i System; Board of Trustees of the Employees' Retirement System; Hawaii Health Systems Corporation; Statewide Automated Victim Information and Notification Governance Committee of the Crime Victim Compensation Commission; Hawai'i Tourism Authority; Hana Health; Hawaii Substance Abuse Coalition; Hawaii Disability Rights Center; PHOCUSED; Hawaii Primary Care Association; Reynolds Recycling, Inc.; American Cancer Society Cancer Action Network; Iron Workers Stabilization Fund; The Queen's Health Systems; Enterprise Holdings; Hawai'i Pacific Health; Waianae Coast Comprehensive Health Center; Hope Services; International Longshore & Warehouse Union Local 142; United Food and Commercial Workers Union, Local 480; and five individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of the Attorney General, Department of Taxation, Department of Human Services, Department of Health, Catholic Charities Hawai'i, Tax Foundation of Hawaii, and Healthcare Association of Hawaii.

Your Committee has amended this measure by:

- (1) Requiring that by October 1 of each year, each department shall submit program measures, cost elements, and accounting reports for all non-general funds to the Legislature;
- (2) Providing that the State Educational Facilities Improvement Special Fund, Convention Center Enterprise Special Fund, Tourism Special Fund, Trauma System Special Fund, and Emergency Medical Services Special Fund shall be subject to the five percent deduction into the general fund for central service expenses;
- (3) Specifying that the cigarette tax revenues deposited to the credit of the Hawaii Cancer Research Special Fund shall only be used for capital expenditures and only until July 1, 2041;
- (4) Retaining the surcharges and cigarette tax revenue allocated to the Trauma Systems Special Fund and Community Health Centers Special Fund;
- (5) Retaining the Community Health Centers Special Fund and Emergency Medical Services Special Fund;
- (6) Removing the blank appropriation to the Department of Health for operating expenses; and
- (7) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1297, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1297, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 960 Finance on H.B. No. 1314

The purpose of this measure is to:

- (1) Authorize each county to levy a county surcharge on transient accommodations tax if the county satisfies certain real property tax requirements;
- (2) Repeal the allocation of transient accommodations tax revenue to the counties and make conforming amendments;
- (3) Establish a Residential Property Owner Tax Credit and a Residential Circuit Breaker Tax Credit; and
- (4) Beginning with taxable years after December 31, 2021, gradually implement new individual income tax and corporation income tax brackets and rates in intervals.

Your Committee received testimony in opposition to this measure from the Department of Budget and Fiscal Services of the City and County of Honolulu, Department of Finance of the County of Kauai, one member of the Maui County Council, Hawai'i Budget & Policy Center, Progressive Democrats of Hawaii, Maui Chamber of Commerce, Hawai'i Association of REALTORS, Americans for Democratic Action, Kohala Coast Resort Association, Napili Kai Beach Resort, and numerous individuals. Your Committee received comments on this measure from the Department of Taxation, Department of the Attorney General, Hawai'i Children's Action Network Speaks!, and Tax Foundation of Hawaii.

Your Committee has amended this measure by:

- (1) Setting the increases in real property tax rates that can be adopted via a county ordinance at twenty percent, rather than specific dollar amounts;
- (2) Requiring each county to remit to the Director of Finance the amounts received pursuant to any county increases in real property tax rates and allocating an unspecified dollar amount of the amounts received to each county;

- (3) Clarifying that any county surcharge on transient accommodations tax shall be levied no later than the first calendar day of the seventh month after adopting an ordinance to increase real property tax rates;
- (4) Beginning January 1, 2031, requiring certain taxpayers who reside in a county that established a surcharge on transient accommodations tax to file an individual information return;
- (5) Establishing a Landlord Low-Income Tenant Tax Credit for certain taxpayers who reside in a county that established a surcharge on transient accommodations tax;
- (6) Renaming the Residential Property Owner Tax Credit the Real Property Tax Credit;
- (7) Clarifying that a qualified taxpayer for purposes of the Residential Circuit Breaker Tax Credit and Real Property Tax Credit is a person who is subject to the state income tax and resides in a county that established a surcharge on transient accommodations tax;
- (8) Deleting the definition of "resident" for purposes of the Residential Circuit Breaker Tax Credit and Real Property Tax Credit;
- (9) Setting the Real Property Tax Credit amount at fifty percent of the real property tax owed and paid by a qualified taxpayer;
- (10) Implementing new income tax brackets and rates for taxpayers who reside in a county that established a surcharge on transient accommodations tax;
- (11) Clarifying that the new corporation income tax rates apply to a corporation or regulated investment company that is located in a county that established a surcharge on transient accommodations tax;
- (12) Deleting language that would have set the corporation income tax to \$0 after December 31, 2030;
- (13) Updating the preamble to reflect the amended purpose; and
- (14) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1314, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1314, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13; Ayes with Reservations (Marten, Perruso, Tam, Wildberger). Noes, 1 (B. Kobayashi). Excused, 1 (McDermott).

SCRep. 961 Economic Development on S.B. No. 65

The purpose of this measure is to:

- (1) Allow direct shipment of all forms of liquor, rather than just wine, by certain licensees; and
- (2) Require the county liquor commissions to adopt rules and regulations.

Your Committee received testimony in support of this measure from the Distilled Spirits Council of the United States, Hawai'i Farm Bureau, Lanikai Brewing Company, Maui Brewing Co., Hawaiian Craft Brewers Guild, Kauai Beer Company, Honolulu Beerworks, Kilohana, Kaua'i Chamber, and Kōloa Rum Company. Your Committee received testimony in opposition to this measure from the Republic National Distributing Company; Wine Institute; Hawaii Food Industry Association; Tamura Enterprises, Inc.; Paradise Beverages, Inc.; Johnson Brothers of Hawaii, Inc.; Hawaii Liquor Wholesalers Association; and numerous individuals.

Your Committee finds that under existing state law, direct-to-consumer shipping of liquor is limited to only wineries shipping wine, leaving other liquor manufacturers without an option to directly ship liquor, including beer and distilled spirits, to consumers. This measure allows other liquor manufacturers direct access to their customers and provides opportunities to pursue additional markets.

Your Committee has amended this measure by:

- (1) Deleting language that would have allowed direct shipment of all forms of liquor by certain licensees;
- (2) Inserting language that:
 - (A) Allows direct shipment of beer and distilled spirits by certain licensees within the State; and
 - (B) Requires the county liquor commissions to adopt rules and regulations for the direct shipment of beer and distilled spirits; 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 65, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 65, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 962 Economic Development on S.B. No. 172

The purpose of this measure is to allow an organization to qualify for grants under chapter 42F, Hawaii Revised Statutes, if the organization is registered with the Department of Commerce and Consumer Affairs and in possession of a valid certificate of vendor compliance issued by the State.

Your Committee received testimony in support of this measure from the Office of the Mayor of the County of Kaua'i, National Tropical Botanical Garden, Hanalei Watershed Hui, Laukahi: Hawaii Plant Conservation Network, Waipā Foundation, and four individuals. Your Committee received comments on this measure from the Office of Community Services and State Procurement Office.

Your Committee finds that under existing law, a nonprofit organization must be incorporated in the State in order to be eligible to receive grants under chapter 42F, Hawaii Revised Statutes. This measure expands the eligibility for such grants to ensure that all nonprofit organizations that are doing work that benefits the State and are in good standing, regardless of where the organizations are incorporated, are eligible to receive state funding pursuant to chapter 42F, Hawaii Revised Statutes.

Your Committee has amended this measure by:

- (1) Clarifying that an organization may qualify for grants under chapter 42F, Hawaii Revised Statutes, if the organization is incorporated under the laws of the State or spends at least ninety percent of its operating budget in the State and is registered with the Department of Commerce and Consumer Affairs and in possession of a valid certificate of vendor compliance issued by the State; and

(2) 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 172, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 172, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 963 Economic Development on S.B. No. 1412

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist HK Management LLC, in planning, designing, constructing, reconstructing, renovating, acquiring, equipping, and improving surf industry center facilities.

Your Committee received testimony in support of this measure from the Hawaii Ocean Education Foundation; HK Management LLC; Kai Law, LLC; Advantage Sports Academy, Inc.; and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Hawaii Community Development Authority.

Your Committee finds that HK Management LLC, a Hawaii limited liability company, proposes to build a surf industry center on state lands, which will include facilities for research, development, manufacturing, and testing and a surf and aquatic film studio. This measure advances the State's interest by promoting Hawaii's surfing and film industries and supporting cultural education, smart tourism, and economic development.

Your Committee has amended this measure by 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1412, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1412, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 964 Water & Land on H.C.R. No. 16

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Kaalawai, Honolulu, Oahu, for the existing seawall constructed on those state submerged lands, and the use, repair, and maintenance of the existing seawall.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that portions of an existing seawall fronting private property located in Kaalawai were built on state submerged lands. Your Committee further finds that the Department of Land and Natural Resources has worked with the property owner to resolve the encroachment by granting a 55-year non-exclusive easement for the seawall, and the grantee has paid the fair market value of the easement. However, the Legislature must grant prior authorization before state submerged lands may be leased. This measure authorizes the granting of a term, non-exclusive easement for the portion of identified state submerged lands in Kaalawai that have been encroached upon by the seawall, and for the use, repair, and maintenance of the seawall.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 16 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Kong, McDermott).

SCRep. 965 Water & Land on H.C.R. No. 17

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Waimanalo, Koolaupoko, Oahu, for the existing pier, seawall, and steps constructed on those state submerged lands, and for the use, repair, and maintenance of the existing pier, seawall, and steps.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the existing pier abutting private property located in Waimanalo, Koolaupoko, Oahu, and a portion of the existing seawall and steps fronting the same property, were built on state submerged lands. Your Committee further finds that the Department of Land and Natural Resources has worked with the property owner to resolve the encroachments of the existing pier, seawall, and steps by granting a 55-year non-exclusive easement for the pier, seawall, and steps, and the grantee has paid the fair market value of the easement. However, the Legislature must grant prior authorization before state submerged lands may be leased. This measure authorizes the granting of a term, non-exclusive easement for the portion of identified state submerged lands in Waimanalo, Koolaupoko, Oahu, that have been encroached upon by the pier, seawall, and steps, and for the use, repair, and maintenance of those improvements.

Your Committee has amended this measure by including references to Tax Map Key number (1) 4-1-001:013 as appropriate.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 17, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 17, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, 1 (McDermott). Excused, 1 (Kong).

SCRep. 966 Water & Land on H.C.R. No. 18

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands at Kamaole, Kula, Maui, for the existing rubble rock revetment, rock wall, and two concrete stairways, and for use, maintenance, repair, replacement, and removal of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the rubble rock revetment, rock wall, and two concrete stairways, all of which were built in 1980, are subject to the approval of the Department of Land and Natural Resources' Office of Conservation and Coastal Lands, which determined that the encroaching structures prevent shoreline

erosion and will help to mitigate inland flooding associated with large wave and storm events; removal of the rubble rock revetment would likely place one of the condominium buildings under immediate threat from erosion; and public access would be diminished by removal of the stairs. Your Committee further finds that this measure is necessary to provide legislative authorization for the Board of Land and Natural Resources to lease the subject submerged lands.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 18 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Kong).

SCRep. 967 Water & Land on H.C.R. No. 19

The purpose of this measure is to authorize the issuance of a perpetual, non-exclusive easement covering a portion of state submerged lands at Maunaloa, Honolulu, Oahu, for the existing storm drain, and for use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the subject location of the proposed easement was never private land, is within a rocky shoreline that contains no beach resources, is not anticipated to have any impact on lateral sand movement or prohibit lateral shoreline access, and serves the public interest of mitigating surface runoff. Your Committee further finds that this measure is necessary to provide legislative authorization for the Board of Land and Natural Resources to lease the subject submerged lands.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 19 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Kong).

SCRep. 968 Water & Land on H.C.R. No. 20

The purpose of this measure is to authorize the issuance of a perpetual, non-exclusive easement covering a portion of state submerged lands at Kaneohe, Koolauloko, Oahu, for the existing storm drain, and for use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the shoreline fronting the drainage structure consists of the muddy waters of Kaneohe Bay, does not contain beach resources, and is not anticipated to impact lateral sand movement or flanking. Your Committee further finds that this measure is necessary to provide legislative authorization for the Board of Land and Natural Resources to lease the subject submerged lands.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 20 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Kong).

SCRep. 969 Water & Land on H.C.R. No. 21

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands at Napili 2 and 3, Lahaina, Maui, for the existing walkway, and for use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Napili Kai Beach Resort.

Your Committee finds that the Department of Land and Natural Resources' Office of Conservation and Coastal Lands has determined that the walkway and stairs provide safe public access along the shoreline, which would be diminished if the walkway were removed; removal of the walkway would have a minimal beneficial impact on beach resources due to its limited size and the existence of a major structure situated directly landward of the encroachment; and removal of the walkway would have an unknown effect on surrounding parcels. Your Committee further finds that this measure is necessary to provide legislative authorization for the Board of Land and Natural Resources to lease the subject submerged lands.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 21 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Kong).

SCRep. 970 Water & Land on H.C.R. No. 22

The purpose of this measure is to authorize the issuance of term, non-exclusive easements covering a portion of state submerged lands at Waiohuli-Keokea (Kihei), Wailuku, Maui, for the existing seawall, and for use, maintenance, and repair of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that this easement covers improvements that were constructed partially on private land and partially on state-owned land seaward of the recorded boundary and that the shoreline has since migrated landward, thus placing the improvements entirely seaward of the shoreline on submerged land. Your Committee further finds that the area seaward of the parcel is identified as a state beach reserve; however, the land appears to be almost consistently underwater, with no beach area remaining. Furthermore, your Committee finds that it also appears that most of the adjacent properties along the coastline have been similarly armored.

Your Committee has amended this measure by:

- (1) Clarifying that the grantees have already paid the fair market value, as determined by independent appraisal, in the amount of \$19,700 and \$19,200 for the benefit of CPR 001 and 002, respectively; and
- (2) 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 Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 22, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 22, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (McDermott). Noes, none. Excused, 1 (Kong).

SCRep. 971 Water & Land on H.C.R. No. 23

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands at Waiohuli-Keokea Homesteads, Kihei, Maui, for the existing seawall, rock revetment, and concrete steps, and for use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that the Department of Land and Natural Resources' Office of Conservation and Coastal Lands has determined that little to no beach fronts the subject property and public access is limited due to extensive beach loss and shoreline armoring; the seawall easement would have no discernable effect on beach and recreational resources and would not hinder public access; and removal of the seawall may destabilize seawalls and revetments at adjacent properties, potentially threatening upland structures. Your Committee further finds that this measure is necessary to provide legislative authorization for the Board of Land and Natural Resources to lease the subject submerged lands.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 23 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Kong).

SCRep. 972 Water & Land on H.C.R. No. 24

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands at Waiohuli-Keokea Homesteads and Beach Lots, Kihei, Maui, for the existing seawall and rock revetment, and for use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that removal of the subject seawall would not result in a substantial improvement to beach resources fronting the property because the narrow beach that fronts the seawall is submerged during all but the lowest tides; would not improve public access because the adjacent properties are fronted by similar seawalls and the narrow beach; and may destabilize seawalls and lawns at adjacent properties. In addition, the seawall serves as the primary erosion control for potentially threatened upland structures. Your Committee further finds that this measure is necessary to provide legislative authorization for the Board of Land and Natural Resources to lease the subject submerged lands.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 24 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Kong).

SCRep. 973 Water & Land on H.C.R. No. 25

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands at Maunaloa, Honolulu, Oahu, for the existing seawall, and for use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that there is no walkable lateral access to the public and no sandy beach resources fronting the subject seawall or adjacent properties to the north and south; the land fronting the seawall is consistently submerged; removal of the encroachment is unlikely to improve lateral shoreline access; and the encroachment is attached to the seawall and serves as the primary erosion control for the subject property. Your Committee further finds that this measure is necessary to provide legislative authorization for the Board of Land and Natural Resources to lease the subject submerged lands. Your Committee notes that the fair market value of the easement is being determined by an appraiser.

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

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Kong).

SCRep. 974 Water & Land on H.C.R. No. 49

The purpose of this measure is to authorize the issuance of a lease covering state submerged lands at Pier 27 in Honolulu Harbor, Oahu, to Atlantis Submarines Hawaii, LLC.

Your Committee received testimony in support of this measure from the Department of Transportation and Atlantis Submarines Hawaii, LLC.

Your Committee finds that the Department of Transportation relocated Atlantis Submarines Hawaii, LLC, from Pier 41 in Honolulu Harbor to Pier 27 during August 2014 to make way for the development of the Kapalama Container Terminal, a critical modernization project identified by the Legislature in the Harbors Modernization Plan under Act 200, Session Laws of Hawaii 2008. Your Committee finds that this measure is necessary to grant legislative authorization for the Department of Transportation, with the prior approval of the Board of Land and Natural Resources, to enter into a lease with Atlantis Submarines Hawaii, LLC, that will include the fast lands at Pier 27 and state submerged lands fronting the property bound by Pier 27.

Your Committee has amended this measure by 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 Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 49, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 49, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Kong).

SCRep. 975 Water & Land on H.R. No. 38

The purpose of this measure is to encourage the City and County of Honolulu to plan for the necessary improvements to, and revitalization of, Hans L'Orange Park in Waipahu.

Your Committee received testimony in support of this measure from four individuals.

Your Committee finds that the historic Hans L'Orange Park is approaching its centennial anniversary and needs repairs and improvements to continue being a safe and comfortable place for the Waipahu community to gather and enjoy.

Your Committee has amended this measure by:

- (1) Stating that the current budget of the City and County of Honolulu for Hans L'Orange Park is \$8,000,000, which is limited to improvements for the field, parking facilities, bathroom facilities, and drainage;
- (2) Stating that final design plans for Hans L'Orange Park are scheduled to be approved and put out to bid by the end of the year;
- (3) Requesting the City and County of Honolulu to consider repairing and improving playground equipment, the basketball court, and pedestrian walkways at Hans L'Orange Park; and
- (4) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 38, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 38, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Kong).

SCRep. 976 Water & Land on H.C.R. No. 47

The purpose of this measure is to encourage the City and County of Honolulu to plan for the necessary improvements to, and revitalization of, Hans L'Orange Park in Waipahu.

Your Committee received testimony in support of this measure from four individuals.

Your Committee finds that the historic Hans L'Orange Park is approaching its centennial anniversary and needs repairs and improvements to continue being a safe and comfortable place for the Waipahu community to gather and enjoy.

Your Committee has amended this measure by:

- (1) Stating that the current budget of the City and County of Honolulu for Hans L'Orange Park is \$8,000,000, which is limited to improvements for the field, parking facilities, bathroom facilities, and drainage;
- (2) Stating that final design plans for Hans L'Orange Park are scheduled to be approved and put out to bid by the end of the year;
- (3) Requesting the City and County of Honolulu to consider repairing and improving playground equipment, the basketball court, and pedestrian walkways at Hans L'Orange Park; and
- (4) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 47, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 47, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Kong).

SCRep. 977 Agriculture on S.B. No. 336

The purpose of this measure is to increase, from \$25,000 to \$50,000, the maximum amount of each agricultural and aquacultural loan that the Chairperson of the Board of Agriculture may be authorized to approve unilaterally.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii Farm Bureau, Ulupono Initiative, and one individual.

Your Committee finds that the Chairperson's unilateral approval authority has not been increased since it was originally authorized in 1982. Since that time, business costs and the speed of business have increased significantly. The proposed increase in the limit to \$50,000 will expand the use of micro-loans and allow applicants to obtain adequate funding on a timely basis.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 336, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 978 Agriculture on S.B. No. 512

The purpose of this measure is to expand the Hawaii Healthy Food Incentive Program, also known as the Double Up Food Bucks Program, administered by the Department of Agriculture to make fresh fruits and vegetables more readily accessible to families or individuals in Hawaii who receive assistance through the federal Supplemental Nutrition Assistance Program by:

- (1) Removing the \$10 per visit per day cap on the dollar-for-dollar match received by Supplemental Nutrition Assistance Program beneficiaries under the Double Up Food Bucks Program; and
- (2) Specifying that healthy proteins are eligible purchases under the Program.

Your Committee received testimony in support of this measure from the Department of Health; Department of Agriculture; Office of Planning; Office of Climate Change, Sustainability and Resiliency and Department of Community Services of the City and County of Honolulu; Hawai'i Community Foundation; Hawaii Medical Service Association; Kaiser Permanente Hawai'i; Malama Kaua'i; Hawai'i Pacific Health; Hawaii Primary Care Association; Hawai'i Public

Health Institute; Hawaii Association of Health Plans; Hawai'i Public Health Association; Hawai'i Farm Bureau; Hawaii Food Industry Association; Hawaii Children's Action Network Speaks!; Land Use Research Foundation of Hawaii; Hawaii Cattlemen's Council, Inc.; Chamber of Commerce Hawaii; Hawaii Appleseed Center for Law & Economic Justice; Hawai'i Alliance for Community-Based Economic Development; Uluopono Initiative; Sierra Club of Hawai'i; Blue Zones Project; Kamehameha Schools; 'Ohana Health Plan; AlohaCare; American Diabetes Association; GreenWheel Food Hub; Local Food Coalition; Hawai'i Alliance for Progressive Action; The Food Basket Inc.; Kulahaven Farms LLC; We Are One, Inc.; Neighborhood Place of Puna; HOPE Services Hawaii, Inc.; Early Childhood Action Strategy; Our Revolution Hawaii; 350Hawaii.org; Catholic Charities Hawai'i; and numerous individuals. Your Committee received comments on this measure from the Department of Human Services, University of Hawai'i System, and American Heart Association.

Your Committee finds that major health authorities, including the United States Department of Agriculture, Centers for Disease Control and Prevention, and World Health Organization, recommend increasing consumption of fruits and vegetables as a means to prevent chronic disease and improve overall health. However, access to fresh produce for income-limited individuals can be difficult and is one of the reasons they often have poorer diets and higher rates of chronic disease than higher-income persons. This measure will increase access to fresh produce and healthy proteins by income-limited individuals.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 512, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Health, Human Services, & Homelessness.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 979 Agriculture on S.B. No. 343

The purpose of this measure is to:

- (1) Establish the offense of sexual assault of an animal as a class C felony; and
- (2) Provide that sexual assault of an animal is a class B felony if the offense subjects a minor to sexual contact with an animal or is committed in the presence of a minor.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, Hawaiian Humane Society, The Humane Society of the United States, Pono Advocacy, Animal Rights Hawaii, Animal Interfaith Alliance in Britain, Hawaii Association of Animal Welfare Agencies, and numerous individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the sexual assault of an animal has been significantly linked to the sexual abuse of children as well as interpersonal violence and other forms of animal cruelty. In addition, sexual abusers of animals have been shown to collect and share child pornography and express interest in other aberrant behavior involving sexual violence and fetish behaviors. Your Committee further finds that establishing the sexual assault of an animal as a separate crime will allow law enforcement officers to better identify potentially dangerous and violent sexual predators in the community.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 343, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 980 Agriculture on S.B. No. 855

The purpose of this measure is to:

- (1) Extend the sunset dates for the Pesticide Subsidy Program and Pesticide Subsidy Program Manager position for an additional two years;
- (2) Provide that the \$600 per year subsidy limit for each single coffee grower applies to coffee berry borer control, with a separate \$600 annual limit per grower for coffee leaf rust control;
- (3) Provide that no single coffee grower shall receive subsidies totaling more than \$12,000 per year after June 30, 2021, and before July 1, 2023; and
- (4) Expand the list of pesticides that the Department of Agriculture is required to establish to include those effective against coffee leaf rust.

Your Committee received testimony in support of this measure from the Department of Agriculture; University of Hawai'i System; Hawai'i Farm Bureau; MauiGrown Coffee, Inc.; Rancho Aloha; Hawaii Coffee Association; Kona Coffee Farmers Association; Kona Coffee Council; Kona Hills LLC; and three individuals.

Your Committee finds that the coffee berry borer, an invasive beetle, has been found on all Hawaiian Islands. In 2020, coffee leaf rust was discovered for the first time in the State on the islands of Maui and Hawaii. Your Committee further finds that this pest and fungus threaten the viability of the State's entire coffee industry, which represents one of the largest agricultural crops in the State and is an important part of Hawaii's economy. The two-year extension of the Pesticide Subsidy Program and Pesticide Subsidy Program Manager position under this measure will allow the State to continue to subsidize the cost of pesticides best shown to combat the coffee berry borer and coffee leaf rust, thus incentivizing coffee growers to adopt recommended pest management strategies.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 855, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 981 Economic Development on S.B. No. 562

The purpose of this measure is to establish that charging shipping and delivery charges that exceed the actual cost to ship or deliver a commodity to a consumer in Hawaii constitutes an unfair and deceptive practice.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii and Hawaii Food Industry Association.

Your Committee finds that many businesses offer free or reduced rate shipping to consumers in the United States. However, Hawaii residents are often unable to claim these offers and are sometimes forced to pay an arbitrary shipping cost that does not correlate with the actual cost of shipping. This measure ensures that Hawaii consumers are protected from shipping and delivery charges that exceed the actual cost to ship or deliver a commodity to the State.

Your Committee has amended this measure by 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 562, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 562, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Okimoto). Noes, none. Excused, 2 (Quinlan, Belatti).

SCRep. 982 Economic Development on S.B. No. 594

The purpose of this measure is to authorize the Director of Taxation to exempt a taxpayer whose annual general excise tax liability does not exceed \$100 from monthly, quarterly, or semiannual general excise tax filing requirements, under certain conditions.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that existing law requires semiannual returns for taxpayers reporting \$2,000 or less in annual general excise tax liability, quarterly returns for taxpayers reporting more than \$2,000 and up to \$4,000, and monthly returns for taxpayers reporting more than \$4,000. This measure eases the burden for certain taxpayers who must file periodic returns and allows for more effective administration of the State's tax laws by the Department of Taxation.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 594, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Quinlan, Belatti).

SCRep. 983 Economic Development on S.B. No. 714

The purpose of this measure is to clarify that the right of publicity includes the rights of individuals who died prior to the enactment of the Hawaii Publicity Rights Act.

Your Committee received testimony in support of this measure from SAG-AFTRA Hawaii Local; Louis Armstrong Educational Foundation, Inc.; and eleven individuals.

Your Committee finds that the Hawaii Publicity Rights Act was enacted on July 15, 2009, to recognize the existence of the right of publicity, which is a property right in the commercial use of one's name, voice, signature, likeness, and other commercially valuable attributes. This measure ensures that the Hawaii Publicity Rights Act applies retroactively to protect the publicity rights of all persons, living and dead, including those who predeceased the enactment of the Hawaii Publicity Rights Act.

Your Committee has amended this measure by 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 714, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 714, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Quinlan, Belatti).

SCRep. 984 Economic Development on S.B. No. 935

The purpose of this measure is to:

- (1) Establish the Office of Aerospace Development in the Hawaii Technology Development Corporation instead of the Department of Business, Economic Development, and Tourism;
- (2) Repeal references to the Pacific International Space Center for Exploration Systems;
- (3) Transfer the rights, powers, functions, and duties of the Pacific International Space Center for Exploration Systems to the Office of Aerospace Development;
- (4) Allow the Aerospace Advisory Committee to select the Director of the Office of Aerospace Development; and
- (5) Reduce the number of members on the Aerospace Advisory Committee.

Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; Hawaii Technology Development Corporation; and Pacific International Space Center for Exploration Systems.

Your Committee finds that the Office of Aerospace Development provides a focal point within state government to facilitate dialogue and coordination among various entities to promote the growth and diversification of Hawaii's aerospace industry. By consolidating the Office of Aerospace Development and Pacific International Space Center for Exploration Systems, this measure ensures that the State can more efficiently direct its resources in the field of aerospace.

Your Committee has amended this measure by 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 935, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 935, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Quinlan, Belatti).

SCRep. 985 Economic Development on S.B. No. 973

The purpose of this measure is to amend the Hawaii Money Transmitter Act by:

- (1) Incorporating definitions of key terms provided in the Model Money Services Business Law published by the Conference of State Bank Supervisors;
- (2) Adding supporting documentation required to be submitted by an applicant for licensure;

- (3) Extending the period of an applicant's litigation and criminal conviction history review from five to ten years from the date of the application;
- (4) Requiring an applicant to submit information concerning any bankruptcy or receivership proceedings; and
- (5) Clarifying the authority of the Commissioner of Financial Institutions to examine and investigate licensees or authorized delegates of licensees and to participate in nationwide protocols for licensing cooperation.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that the instantaneous global money transmission activity today necessitates additional oversight of money transmitters to provide appropriate consumer protection. This measure ensures that Hawaii can work alongside a network of states to effectively license, regulate, and supervise trans-global, regional, and single state money transmission companies to protect consumers, establish barriers to the entry of bad actors, provide stability and economic growth, and facilitate coordination among state agencies.

Your Committee has amended this measure by 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 973, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 973, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, 1 (D. Kobayashi). Excused, 2 (Quinlan, Belatti).

SCRep. 986 Economic Development on S.B. No. 1202

The purpose of this measure is to make various technical amendments to chapters 243, 244D, and 245, Hawaii Revised Statutes, under the jurisdiction of the Department of Taxation.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received testimony in opposition to this measure from the Wailoa River and Reeds Bay Boating and Users Association. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that it is necessary to amend and repeal various provisions of title 14 of the Hawaii Revised Statutes, relating to the fuel, liquor, cigarette, and tobacco tax laws, for the purposes of correcting errors and references, clarifying language, or deleting obsolete or unnecessary provisions. This measure adds clarity to the law and allows for more effective administration of the State's tax laws by the Department of Taxation.

Your Committee has amended this measure by 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1202, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1202, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Quinlan, Belatti).

SCRep. 987 Economic Development on S.B. No. 1203

The purpose of this measure is to make nonsubstantive changes to Title 14, Hawaii Revised Statutes, for clarity and to delete obsolete provisions.

Your Committee received testimony in support of this measure from the Department of Taxation and one individual. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that it is necessary to amend and repeal various provisions of the Hawaii Revised Statutes for the purposes of correcting errors and references, clarifying language, or deleting obsolete or unnecessary provisions. This measure adds clarity to the law and allows for more effective administration.

Your Committee has amended this measure by 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1203, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1203, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Quinlan, Belatti).

SCRep. 988 Water & Land on S.B. No. 186

The purpose of this measure is to prohibit the enforcement of a re-recorded homeowners' association restriction if the restriction prohibits bona fide agricultural uses and activities on agricultural land.

Your Committee received testimony in support of this measure from the Office of Planning, Hawai'i Farm Bureau, and Wootens Produce of Kauai. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that restrictive covenants that limit agricultural uses on agricultural lands undermine the State's interest in protecting and preserving agricultural resources and promoting agricultural self-sufficiency and contravene public policy.

Your Committee has amended this measure by:

- (1) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 186, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 186, H.D. 1, and be referred to your Committee on Agriculture.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 989 Water & Land on S.B. No. 1313

The purpose of this measure is to require:

- (1) The Department of Agriculture to review, no later than January 1, 2022, whether the northern largemouth bass should be placed on the list of conditionally approved animals that require a permit for import into the State maintained pursuant to section 150A-6.2(a)(1), Hawaii Revised Statutes;
- (2) The Division of Aquatic Resources of the Department of Land and Natural Resources to establish a pilot program to restock northern largemouth bass, butterfly peacock bass, or both, in the Wahiawa public fishing area in central Oahu if the Board of Agriculture places northern largemouth bass on the conditionally approved list that requires a permit for import into the State maintained pursuant to section 150A-6.2(a)(1), Hawaii Revised Statutes;
- (3) As part of this pilot program, the Division of Aquatic Resources to apply to the Department of Agriculture for a permit to import the northern largemouth bass and butterfly peacock bass; and
- (4) The Department of Land and Natural Resources, including the Division of Aquatic Resources; Department of Agriculture; and all other relevant boards and divisions to work together until the permitting process and pilot program are successfully completed, subject to any applicable laws and pre-existing conditions.

Your Committee received testimony in support of this measure from the Wahiawa Community Based Development Organization dba Wahiawa Fresh!, Tropo LLC, and ten individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and Department of Agriculture.

Your Committee finds that the companion to this measure, H.B. No. 1274, H.D. 1 (Regular Session of 2021), was previously passed by your Committee.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. No. 1274, H.D. 1, a measure that requires the Division of Aquatic Resources to:
 - (A) Establish, no later than January 1, 2022, a pilot project to restock northern largemouth bass, butterfly peacock bass, or both, in the Wahiawa public fishing area in central Oahu; and
 - (B) Apply to the Department of Agriculture for the permit to import the northern largemouth bass and work with another public entity or partner with a private entity to accomplish the pilot project;
- (2) Changing its effective date to January 1, 2050, to encourage further discussion; 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1313, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1313, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 990 Labor & Tourism on S.B. No. 538

The purpose of this measure is to clarify the jurisdiction of the Hawaii Civil Rights Commission. Specifically, this measure:

- (1) Clarifies the intent for a state law counterpart for disability discrimination in federally funded programs and services; and
- (2) Excludes jurisdiction over programs or activities that are covered by the Individuals with Disabilities Education Act.

Your Committee received testimony in support of this measure from the Department of Education, Hawai'i Civil Rights Commission, Disability and Communication Access Board, Hawaii Disability Rights Center, National Federation of the Blind of Hawaii, and two individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that when Act 387, Session Laws of Hawaii 1989, was enacted and codified as section 368-1.5, Hawaii Revised Statutes, it was intended to be the state counterpart to section 504 of the federal Rehabilitation Act of 1973, as amended, and provide a state remedy for disability discrimination. Your Committee further finds that the practical effect of the Hawaii Supreme Court's ruling in *Hawaii Technology Academy, et al. v. L.E., et al.*, 141 Hawaii 147 (2017), was to leave people with disabilities with a state law against discrimination but no actual state remedy.

Your Committee finds that this measure resolves the anomaly by defining a program or activity receiving state financial assistance to include a program or activity that receives federal and state financial assistance.

Your Committee has amended this measure by changing the effective date to December 25, 2040, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 538, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 538, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 991 Labor & Tourism on S.B. No. 675

The purpose of this measure is to amend the definition of "employee-beneficiary" to include the surviving unmarried adult child of a deceased retired member if the child is incapable of self-support because of a mental or physical incapacity which existed prior to the unmarried child's reaching the age of nineteen.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance and Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees.

Your Committee finds that there are currently four hundred twelve dependents who are incapable of self-support due to a mental or physical incapacity on Employer-Union Health Benefits Trust Fund health plans who would benefit from this measure. This measure will ensure these individuals continue to receive health benefits as employee-beneficiaries after the death of their retired parent.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 675, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 992 Labor & Tourism on S.B. No. 830

The purpose of this measure is to:

- (1) Direct the Department of Human Resources Development to convene a working group to:
 - (A) Review and make recommendations on policies and procedures relating to telework and alternative work schedules to address the caregiving responsibilities and other needs of state employees; and
 - (B) Submit a report of its findings and recommendations, including any proposed legislation and specific budget requests, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2022; and
- (2) Require all state departments to adopt, implement, and update emergency telework policies in conformity with the interim guidance issued by the Department of Human Resources Development, which will remain in effect until the expiration of the last COVID-19 proclamation by the Governor, or adoption of the telework and alternative work schedule policies and procedures, whichever occurs first.

Your Committee received testimony in support of this measure from the Department of Human Resources Development, Office of Planning, Department of Education, Department of Transportation, Hawai'i State Commission on the Status of Women, American Association of University Women of Hawaii, Hawaii Children's Action Network Speaks!, Hawaii State Teachers Association, Hawaii State Coalition Against Domestic Violence, and six individuals. Your Committee received comments on this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the ongoing COVID-19 pandemic has caused disruptions to the child care and education system, requiring women to function simultaneously as employee and caregiver and profoundly impacting their ability to support themselves and their families. Your Committee further finds that since 2010, the Department of Human Resources Development has had memoranda of understanding with the Hawaii Government Employees Association that allow for teleworking and alternative work weeks. However, these memoranda do not authorize primary care during work hours for a child, the elderly, an ill or disabled person, or a person who requires significant care as a valid reason to telework.

Your Committee further finds that many employers are allowing their employees to telework because of the ongoing caregiving challenge. This measure will promote telework and alternative work schedule policies to include caregiving as a means to address these issues.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 830, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 993 Labor & Tourism on S.B. No. 912

The purpose of this measure is to:

- (1) Authorize a court to order the forfeiture of one half of the Employees' Retirement System benefits of a member, former member, or retirant upon conviction of the individual for a felony related to the state or county employment of the individual;
- (2) Authorize designated beneficiaries to receive the Employees' Retirement System benefits to which the member, former member, or retirant would be entitled upon the death of the member, former member, or retirant; and
- (3) Prohibit designated beneficiaries convicted of a felony under the same set of circumstances as the member, former member, or retirant who was subject to forfeiture of benefits of the Employees' Retirement System from receiving those benefits.

Your Committee received testimony in support of this measure from the Board of Trustees of the Employees' Retirement System, Hawai'i State Ethics Commission, Common Cause Hawaii, and nine individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that public officers and employees are responsible for upholding the public's trust in government and democracy. The public's confidence in government and democracy is undermined when public officers and employees engage in misconduct related to their state or county employment.

Your Committee further finds that, while existing law requires an employee of the State or county who is convicted of a felony to have their employment terminated, the employee is still entitled to receive benefits from the Employees' Retirement System. This measure will demonstrate that the State takes the ethics of its employees seriously by authorizing the forfeiture of one half of an employee's retirement benefits upon a court determination that the employee has been convicted of an employment-related felony.

Your Committee has amended this measure by:

- (1) Simplifying the language relating to forfeiture of one half of benefits, by referring to reducing or resuming payments upon receipt of a certified copy of the court order; and
- (2) 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 912, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 912, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 994 Labor & Tourism on S.B. No. 1220

The purpose of this measure is to add the University of Hawaii to the list of agencies that are authorized to conduct criminal history record checks on current or prospective employees whose positions or duties are related to public safety.

Your Committee received testimony in support of this measure from the Department of Human Resources Development and University of Hawai'i System.

Your Committee finds that the University of Hawaii campuses have departments of public safety with responsibilities that include protecting persons and property, receiving reports of crime such as sexual assaults, and providing walking escorts and vehicle transportation from dusk to dawn for persons alone on campus at night. Your Committee further finds that this measure will provide the University of Hawaii the authority to conduct criminal history record checks

on persons who will be entrusted with the security of campus facilities and persons.

Your Committee also finds that, on average, the University hires approximately fifteen security officers annually. This measure will streamline the hiring process and allow for vacancies to be filled more efficiently.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1220, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 995 Water & Land on S.B. No. 508

The purpose of this measure is to require the Department of Education to establish and administer an ocean safety and stewardship education program for all fourth grade public school students.

Your Committee received testimony in support of this measure from the Ocean Tourism Coalition. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that ocean safety and stewardship education will help prevent drownings and instill in students a sense of responsibility and respect for the ocean and marine environment. Providing hand-on education to students in actual coastal marine environments, such as the beach, will enhance the students understanding and the importance of such environments.

Your Committee has amended this measure by:

- (1) Clarifying that the ocean safety and stewardship education program may be conducted at a beach or another appropriate location, in addition to onsite at the school;
- (2) Authorizing the Department of Education to provide an opt-out process for elementary public schools that have other comparable programs or conduct water safety training at a different grade level;
- (3) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 508, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 508, H.D. 1, and be referred to your Committee on Education.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 996 Labor & Tourism on S.B. No. 678

The purpose of this measure is to:

- (1) Require that the representative of labor on the Hawaii Labor Relations Board shall be a person selected by a majority of the exclusive representatives of the collective bargaining units, whose sole name, rather than a list of three names, shall be submitted to the Governor; and
- (2) Establish procedures for the removal of the representative of labor from the Hawaii Labor Relations Board.

Your Committee received testimony in support of this measure from the University of Hawaii Professional Assembly; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; United Public Workers, AFSCME Local 646, AFL-CIO; and Hawaii State Teachers Association. Your Committee received testimony in opposition to this measure from the Office of Collective Bargaining. Your Committee received comments on this measure from the Hawai'i Labor Relations Board.

Your Committee finds that the existing process of allowing the Governor to pick a name from a list of three nominees to fill the role of representative of labor provides the Governor with too much authority over the composition of the Hawaii Labor Relations Board. Providing a single name to the Governor that has been vetted by the exclusive representatives, with a clear timeframe for the name to be transmitted to the Senate for consideration as well as a default process for Senate confirmation if the deadline is missed, ensures greater fairness, predictability, and transparency in the appointment process. Your Committee also finds that providing a mechanism to remove an ineffective labor representative is essential to the efficient functioning of the Hawaii Labor Relations Board.

Your Committee has amended this measure by:

- (1) Repealing unnecessary explanatory language relating to term limits specified in section 26-34, Hawaii Revised Statutes, from which the Hawaii Labor Relations Board is exempt; and
- (2) 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 678, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 678, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 997 Labor & Tourism on S.B. No. 936

The purpose of this measure is to require:

- (1) The Department of Labor and Industrial Relations to disseminate information regarding seizure first aid; and
- (2) Employers to post materials provided by the Department of Labor and Industrial Relations to educate employees with respect to seizure first aid.

Your Committee received testimony in support of this measure from thirteen individuals. Your Committee received testimony in opposition to this measure from the Department of Labor and Industrial Relations.

Your Committee finds that the Department of Labor and Industrial Relations' testimony in opposition stated that the Department's mission does not relate to mandates in public health. In addition, medical conditions such as seizures are not recognized workplace hazards and critical seizure safety information is downloadable through the Epilepsy Foundation.

Your Committee further finds that the Department of Health has general charge, oversight, and care of the health and lives of the people of the State and would be a more appropriate department to assume the tasks outlined in this measure.

Accordingly, your Committee has amended this measure by placing the responsibility for implementation with the Department of Health under chapter 321, Hawaii Revised Statutes, rather than the Department of Labor and Industrial Relations under chapter 371, Hawaii Revised Statutes.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 936, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 936, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 998 Pandemic & Disaster Preparedness on S.B. No. 1107

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

Your Committee received testimony in support of this measure from the Department of Defense, Hawaii Emergency Management Agency, and Hawaii State Energy Office.

Your Committee finds that the Hawaii Emergency Management Agency has nearly exhausted its funding to support the management and implementation of hazardous mitigation projects. There are various projects to mitigate situations that are deemed hazardous that require immediate action. However, these necessary projects will not be possible without proper funding. This measure will ensure the continuation of hazardous mitigation projects and expand the program by establishing the Hazard Mitigation Special Fund.

Your Committee has amended this measure by 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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1107, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1107, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 999 Pandemic & Disaster Preparedness on S.B. No. 134

The purpose of this measure is to prohibit the Governor or mayors from suspending requests for public or vital statistics records during a declared state of emergency.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii, Common Cause Hawaii, All Hawaii News, Society of Professional Journalists Hawaii Chapter, Big Island Press Club, Civil Beat Law Center for the Public Interest, and three individuals. Your Committee received comments on this measure from the Department of Health, Office of Planning, Office of Information Practices, and Grassroot Institute of Hawaii.

Your Committee finds that access to information is critical to ensure transparency and allow citizens to hold government accountable. Your Committee further finds that existing law authorizes the Governor or a mayor to suspend any law, including the Uniform Information Practices Act, during a declared state of emergency. Your Committee recognizes that while it is important for the government to have flexibility during a state of emergency, there needs to be guardrails in place to prevent the overreach of those powers.

Your Committee has amended this measure by 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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 134, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 134, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 1000 Government Reform on S.B. No. 401

The purpose of this measure is to:

- (1) Increase the amount of the fine that may be assessed against a noncandidate committee that makes only independent expenditures and that has received at least one contribution of more than \$10,000 or spent more than \$10,000 in an election period; and
- (2) Authorize the Campaign Spending Commission to order that the fine, or any portion of the fine, assessed against a noncandidate committee be paid from the personal funds of the officers of the noncandidate committee.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, League of Women Voters of Hawaii, and nine individuals.

Your Committee finds that this measure significantly increases the amount of fines assessed against a committee that makes only independent expenditures, otherwise known as Super PACs, and authorizes the Campaign Spending Commission to order that the fines, or a portion of the fines, be paid from the personal funds of an officer of the Super PAC. The increase in the amount of the fine is necessary in enforcement cases against Super PACs and will also serve as a more effective deterrent against Super PACs from violating state campaign spending laws.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 401, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 401,

H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 1001 Government Reform on S.B. No. 402

The purpose of this measure is to:

- (1) Require expenditures by candidate committees for reimbursements to other individuals, in addition to candidates, to be itemized in schedules filed with the reports to the Campaign Spending Commission; and
- (2) Delete candidate reimbursements from the list of noncandidate committee expenditures that need to be itemized.

Your Committee received testimony in support of this measure from the Campaign Spending Commission and Common Cause Hawaii.

Your Committee finds that under existing law, only candidate reimbursements need to be itemized in reports made to the Campaign Spending Commission. However, individuals other than the candidate are also being reimbursed for campaign costs advanced by those individuals. This measure requires that reimbursements made to other individuals are itemized as well, which will provide more transparency in how candidate committees are spending their funds.

Your Committee further finds that this measure deletes the requirement for noncandidate committees to report any candidate reimbursements, as noncandidate committees are already prohibited from receiving or making loans under existing law.

Your Committee has amended this measure by changing its effective date to July 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 402, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 402, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 1002 Government Reform on S.B. No. 406

The purpose of this measure is to:

- (1) Clarify that the Campaign Spending Commission may employ staff who may initiate complaints on behalf of the Commission;
- (2) Specify that the staff of the Campaign Spending Commission are not members of the Commission; and
- (3) Require complaints initiated by the staff of the Campaign Spending Commission to be in writing and signed by the Executive Director of the Campaign Spending Commission.

Your Committee received testimony in support of this measure from the Campaign Spending Commission and one individual.

Your Committee finds that the Campaign Spending Commission employs or contracts with individuals to carry out various functions of the Commission. Your Committee further finds that this measure is intended to clarify the authority of the Campaign Spending Commission's staff in performing day-to-day functions of the Commission.

Your Committee has amended this measure by:

- (1) Removing language that would have permitted the Campaign Spending Commission to employ staff who are not members of the Commission to initiate complaints on behalf of the Commission;
- (2) Amending the duties of the Campaign Spending Commission to clarify that the duties of the Commission include employing or contracting with persons for the performance of the Commission's day-to-day functions, who shall have the authority to perform such day-to-day functions without further Commission action; and
- (3) Changing its effective date to July 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 406, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 406, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 3 (Ichiyama, Mizuno, Ward).

SCRep. 1003 Water & Land on S.B. No. 791

The purpose of this measure is to clarify various processes and responsibilities relating to unauthorized, abandoned, and derelict vessels by:

- (1) Clarifying the processes for the removal of unauthorized vessels;
- (2) Clarifying the criteria for determining whether a vessel has been abandoned;
- (3) Reducing the time frame for claiming an unauthorized or abandoned vessel that has been impounded by the Department of Land and Natural Resources;
- (4) Establishing penalties for the abandonment of a vessel in the waters of the State or on public property;
- (5) Clarifying auction requirements regarding abandoned vessels; and
- (6) Authorizing the Department of Land and Natural Resources to charge impound storage fees for abandoned vessels.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Reef and Ocean Coalition, and three individuals.

Your Committee finds that this measure would allow the Department of Land and Natural Resources to respond more effectively to unauthorized, abandoned, grounded, and derelict vessels and hold owners more accountable for their vessels.

Your Committee has amended this measure by:

- (1) Clarifying that certain approvals for abandoned or grounded vessels must be made in writing by the Chairperson of the Board of Land and Natural

Resources, or the Chairperson's designee;

- (2) Changing its effective date to January 1, 2050, to encourage further discussion; 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 791, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 791, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 1004 Agriculture on S.B. No. 179

The purpose of this measure is to transfer operational authority over certain portions of the East Kauai Irrigation System to the Department of Agriculture by:

- (1) Providing that the portions of the system to be transferred are those portions operated and maintained by the East Kauai Water Users' Cooperative before December 15, 2020;
- (2) Requiring that the relevant portions of the system be under the operational authority of the Department of Agriculture until the Board of Agriculture adopts rules for irrigation water development and irrigation and water utilization, or until a determination is made that the system can be appropriately operated and maintained pursuant to chapters 167 and 168, Hawaii Revised Statutes; and
- (3) Contingent upon the East Kauai Irrigation System becoming a state irrigation system, establishing certain employment positions within the Department of Agriculture's Agricultural Resource Management Division and appropriating funds for the operations and maintenance of the East Kauai Irrigation System.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; East Kauai Waters Users' Cooperative; Hawai'i Farm Bureau; Ulupono Initiative; Larry Jefts Farms, LLC; Kalepa Koalition; Saiva Siddhanta Church; and two individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that the East Kauai Irrigation System services more than twelve thousand five hundred acres of agricultural land on Kauai. The system includes two reservoirs and twenty-two miles of ditch and has historically serviced thousands of acres of state and private lands.

Your Committee further finds that the Department of Land and Natural Resources currently has oversight of the irrigation system and is focused on addressing public health and safety and preserving the viability of the irrigation system for future use, not the continued delivery of water to various users. Furthermore, the Department of Land and Natural Resources does not have the resources or expertise to function as a water delivery provider, which could be inconsistent with its mission of natural, cultural, recreational, and historical resource management and protection.

Your Committee has amended this measure by:

- (1) Deleting the authorization for the three-year water licensing deadline to be extended for up to two years under certain conditions; and
- (2) 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 179, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 179, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1005 Energy & Environmental Protection on S.B. No. 1054

The purpose of this measure is to enable the use of monies in the Brownfields Cleanup Revolving Loan Fund for subgrants to eligible entities for assessment and cleanup of brownfields sites and certain site monitoring activities.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Office of Planning; and Department of Planning and Permitting of the City and County of Honolulu.

Your Committee finds that the Hawaii Brownfields Cleanup Revolving Loan Fund may be used for loans and subgrants to eligible entities for brownfields site assessment activities, sampling, and related activities in addition to cleanup activities. This measure expands the limited uses of the Brownfields Cleanup Revolving Loan Fund by enabling the funds to be used for subgrants for cleanups, environmental site assessments, and related activities to facilitate redevelopment of lands that are underutilized due to perceived or real contamination.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1054, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Economic Development.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1006 Energy & Environmental Protection on S.B. No. 502

The purpose of this measure is to propose a constitutional amendment that provides individuals the right to a clean and healthy environment, including pure water, clean air, and healthy ecosystems, and to the preservation of the natural, cultural, scenic, and healthful qualities of the environment.

Your Committee received testimony in support of this measure from the Hawaii Forest Stewards; Greener Hawaii; Imua Alliance; We Are One, Inc.; Hawai'i Public Health Association; Kauai Climate Action Coalition; Our Revolution Hawaii; Friends of Hanauma Bay; 350Hawaii.org; Environmental Caucus of the Democratic Party of Hawai'i; Green Amendments for the Generations; Hawaii Reef and Ocean Coalition; Surfrider Foundation; Hawai'i Youth Climate Coalition; Center for Biological Diversity; Climate Protectors Coalition; Zero Waste O'ahu; Clean the Pacific; and numerous individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii and one individual. Your Committee received comments on this measure from the Department of the Attorney General, Hawaiian Electric Company, NAIOP Hawaii, and Hawai'i Association of REALTORS.

Your Committee finds that clean water, clean air, a stable climate, and a healthy environment are critical for supporting the physical, mental, and economic

health of the State's residents. The proposed constitutional amendment in this measure recognizes and protects the alienable rights of all people to clean water, clean air, a stable climate, and healthy environments, making clear the State's duties to protect the environment for the benefit of residents and future generations.

Your Committee has amended this measure by:

- (1) Deleting language that would have made the environmental rights provisions self-executing and equivalent to other protected inherent and inalienable rights;
- (2) Clarifying the language of the question to be printed on the ballot for the proposed constitutional amendment;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 502, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 502, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1007 Energy & Environmental Protection on S.B. No. 348

The purpose of this measure is to:

- (1) Repeal the requirement that noncarbonated bottled water be transported, stored, processed, or bottled through lines or equipment through which only water is passed; and
- (2) Update existing law to require bottled water to meet standards prescribed by the United States Food and Drug Administration regarding product quality standards for bottled water.

Your Committee received testimony in support of this measure from the Sierra Club National Marine Team, Hawaii Food Industry Association, Ball Corporation, Ko Olina Resort Operators Association, and Maui Brewing Co. Your Committee received comments on this measure from the Grassroot Institute of Hawaii.

Your Committee finds that existing state law expressly prohibits carbonated soft drink, juice, and beer operations from using the same equipment to can noncarbonated bottled water. This measure ensures that local beverage filling companies that manufacture other products can provide noncarbonated water in aluminum cans to consumers as a more recyclable alternative to single-use plastic water bottles, allowing local businesses to expand into new products and encourage economic growth.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 348, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1008 Energy & Environmental Protection on S.B. No. 180

The purpose of this measure is to:

- (1) Exempt a beverage dealer who is in a high-density population area from operating a redemption center if the dealer is located within one mile, rather than two miles, of a certified redemption center operated independently of the dealer; and
- (2) Require the Department of Health to annually adjust the handling fees for the Deposit Beverage Container Program to an amount not less than the handling fee in the prior calendar year as adjusted by percentage changes in the Consumer Price Index for the Honolulu area.

Your Committee received testimony in support of this measure from Reynolds Recycling and Zero Waste O'ahu. Your Committee received testimony in opposition to this measure from the Hawaii Food Industry Association and American Beverage Association. Your Committee received comments on this measure from the Department of Health and Tax Foundation of Hawaii.

Your Committee finds that under existing law, there are many challenges in the administration and efficiency of the Deposit Beverage Container Program. Therefore, it is necessary to further examine the Deposit Beverage Container Program to provide more recycling opportunities to Hawaii consumers.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting language from S.B. No. 349 (Regular Session of 2021), which requires the Department of Health to implement the Auditor's recommendations for the Deposit Beverage Container Program, including developing a risk-based selection process to select reports submitted by deposit beverage distributors and redemption centers for periodic audits;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 180, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 180, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1009 Energy & Environmental Protection on S.B. No. 132

The purpose of this measure is to, beginning January 1, 2023, ban the sale, offer for sale, or distribution in the State of any sunscreen that contains avobenzone or octocrylene, without a prescription issued by a licensed healthcare provider.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Kona Coast Waterkeepers, The Kohala Center, For the Fishes, Kahalu'u Bay Education Center, Hawaii Coral Reef Stakeholders Hui, Haereticus Environmental Laboratory, Chemists Without

Borders, Napili Bay and Beach Foundation, Safe Sunscreen Council, Hanauma Bay Snorkel Adventures and Koko Beach Rentals, Mālama Pūpūkea-Waimea, Legacy Reef Foundation, Center for Biological Diversity, Hawaii Reef and Ocean Coalition, Cyanotech Corporation, Safe Sunscreen Coalition, Down to Earth Organic and Natural, Little Hands Hawaii, Pacific Whale Foundation, Lani & Kai, Mama Kuleana Reef Safe Sunscreen Company, Zero Waste O'ahu, and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii Food Industry Association, Hawaii Skin Cancer Coalition, Chamber of Commerce Hawaii, Personal Care Products Council, Public Access to SunScreens, Retail Merchants of Hawaii, and American Chemistry Council. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that despite the ban on the sale and distribution of sunscreen containing oxybenzone and octinoxate in the State beginning in 2021, it has come to light that additional chemicals used in sunscreens may also have harmful impacts on Hawaii's marine environment. This measure ensures that additional harmful chemicals are included in the sunscreen ban to preserve the State's marine ecosystems, including coral reefs that protect Hawaii's shoreline.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 132, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 132, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1010 Energy & Environmental Protection on S.B. No. 304

The purpose of this measure is to establish procedures for the Department of Transportation to assist and enable a person to voluntarily purchase a verified carbon offset for carbon dioxide emissions resulting from the person's air travel to or from an airport in the State.

Your Committee received testimony in support of this measure from the Blue Planet Foundation and one individual. Your Committee received testimony in opposition to this measure from 350Hawaii.org and two individuals. Your Committee received comments on this measure from the Department of Transportation and Office of Planning.

Your Committee finds that there are many contributors to climate change, and transportation-generated greenhouse gas emissions are a significant contributor. This measure helps the State achieve its zero emissions clean economy target by establishing a carbon offsetting and reduction scheme that may appeal to air travelers who are aware of the climate change implications of their travel.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 304, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1011 Energy & Environmental Protection on S.B. No. 243

The purpose of this measure is to require the Hawaii Natural Energy Institute to:

- (1) Develop a strategic plan that outlines benchmarks to achieve a one hundred percent renewable energy portfolio standard and submit the strategic plan to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023; and
- (2) Conduct a feasibility study on the State's ability to achieve its renewable energy goals by 2045 and submit its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023.

Your Committee received testimony in support of this measure from the Ulupono Initiative, Climate Protectors Hawaii, Land Use Research Foundation of Hawaii, and three individuals. Your Committee received comments on this measure from the Hawai'i Natural Energy Institute, Hawaii State Energy Office, Hawaiian Electric Company, Life of the Land, and Zero Waste O'ahu.

Your Committee finds that no strategic plan currently exists for the attainment of the State's goals of achieving a one hundred percent renewable energy portfolio standard and zero emissions clean economy target by 2045. This measure better positions the State to achieve its renewable energy goals and lowers its dependence on nonrenewable energy sources, leading to a more sustainable future.

Your Committee has amended this measure by:

- (1) Clarifying its findings, purpose statement, and scope for clarity and consistency;
- (2) Deleting language that would have required the Hawaii Natural Energy Institute to develop a strategic plan that outlines benchmarks to achieve a one hundred percent renewable energy portfolio standard;
- (3) Inserting language that requires the Hawaii State Energy Office to establish a strategic plan that identifies strategies to achieve a resilient, clean energy, decarbonized economy as quickly as practicable but no later than 2045, consider lifecycle emissions related to out-of-state transportation and supply chains, and submit a report to the Legislature prior to the Regular Session of 2023;
- (4) Specifying that the Hawaii Natural Energy Institute shall conduct a feasibility study of the Hawaii State Energy Office's strategic plan, rather than on the State's ability to achieve its goal of producing one hundred percent of the State's electricity from renewable energy sources by December 31, 2045;
- (5) Including additional years in which the Hawaii Natural Energy Institute is required to submit reports to the Legislature; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 243, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 243, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1012 Energy & Environmental Protection on S.B. No. 755

The purpose of this measure is to require lessors of rental motor vehicles to include an option for the lessee in the motor vehicle rental agreement to contribute a sum to the Department of Land and Natural Resources for the preservation and protection of the environment.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received testimony in opposition to this measure from Avis Budget Group and Enterprise Holdings.

Your Committee finds that the protection of natural resources is critical to the future of the State's tourism industry. As other states have successfully used voluntary contribution check-off boxes to raise money for the protection of their natural resources, your Committee finds that a similar program in Hawaii could be successful in raising funds for the State's own environmental management and visitor engagement.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 755, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 755, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, 1 (Tokioka). Excused, 1 (Matayoshi).

SCRep. 1013 Energy & Environmental Protection/Agriculture on S.B. No. 493

The purpose of this measure is to establish and appropriate funds for the Hawaii Agriculture and Forest Carbon Positive Incentive Program.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Green Infrastructure Authority, Office of Planning, Climate Protectors Hawaii, Environmental Caucus of the Democratic Party of Hawai'i, Hawaii Cattlemen's Council, and six individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Taxation, Department of Agriculture, Department of Budget and Finance, Life of the Land, and Tax Foundation of Hawaii.

Your Committees find that the State needs to find a way to reduce its contribution to climate change and increase local food production. This measure incentivizes carbon positive actions through a payment of services program that would allow small farmers, ranchers, and landowners to be compensated for taking actions to help the State reach its climate positive goal.

Your Committees have amended this measure by:

- (1) Blanking out the allocation of the Environmental Response, Energy, and Food Security Tax that is deposited into the Agricultural Development and Food Security Special Fund; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Agriculture that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 493, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 493, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 6. Noes, none. Excused, 2 (Matayoshi, Todd).

Agriculture: Ayes, 6. Noes, none. Excused, 2 (Matayoshi, Todd).

SCRep. 1014 Housing/Water & Land on S.B. No. 2

The purpose of this measure is to:

- (1) Exempt lands set aside by the Governor to the Hawaii Housing Finance and Development Corporation and lands leased to the Hawaii Housing Finance and Development Corporation by state departments or agencies, from the definition of "public lands";
- (2) Require those lands to be subject to legislative approval prior to the sale or gift of those lands; and
- (3) Require state department or agency lands leased to the Hawaii Housing Finance and Development Corporation that are no longer needed for housing, finance, or development to be returned to the state department or agency that leased the lands to the Hawaii Housing Finance and Development Corporation.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and two individuals. Your Committees received testimony in opposition to this measure from the Office of Hawaiian Affairs, one member of the Maui County Council, Native Hawaiian Legal Corporation, Council for Native Hawaiian Advancement, Kanaeokana Kula Hawai'i Network, Hawaiian Affairs Caucus of the Democratic Party of Hawaii, and numerous individuals.

Your Committees find that this measure expands the Hawaii Housing Finance and Development Corporation's statutory exemption from the definition of "public lands" to include lands that are set aside to the Hawaii Housing Finance and Development Corporation by Executive Order or leased from another state department or agency. This measure is intended to help streamline the development of affordable housing on state lands by minimizing the number of approvals required by the Department of Land and Natural Resources.

Your Committees have amended this measure by:

- (1) Requiring the Hawaii Housing Finance and Development Corporation to submit certain documentation to the Office of Hawaiian Affairs regarding government or crown lands set aside or leased to the Hawaii Housing Finance and Development Corporation prior to the Corporation developing or financing affordable housing development on those lands; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Housing and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 6. Noes, 1 (DeCoite). Excused, 1 (McDermott).

Water & Land: Ayes, 5; Ayes with Reservations (Branco, Kong). Noes, 1 (Ganaden). Excused, 2 (Ohno, McDermott).

SCRep. 1015 Judiciary & Hawaiian Affairs on S.B. No. 385

The purpose of this measure is to:

- (1) Enact the 2018 Uniform Trust Code with appropriate amendments to reflect Hawaii law and practice; and
- (2) Repeal the Uniform Trustees' Powers Act, Uniform Prudent Investor Act, and laws regarding trust administration under the Uniform Probate Code.

Your Committee received testimony in support of this measure from the Judiciary and Commission to Promote Uniform Legislation.

Your Committee finds that this measure will update Hawaii statutes relating to trusts and bring them under one comprehensive umbrella, which will significantly reduce the time, complexity, and expense of trust proceedings.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 385, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 385, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 1016 Judiciary & Hawaiian Affairs on S.B. No. 1286

The purpose of this measure is to appropriate funds to the Office of the Prosecuting Attorney for Hawaii County for the Career Criminal Prosecution Unit.

Your Committee received testimony in support of this measure from the Mayor of the County of Hawai'i, two members of the Hawai'i County Council, Hawai'i Police Department, Office of the Prosecuting Attorney of the County of Hawai'i, and three individuals.

Your Committee finds that the Career Criminal Prosecution Unit was created due to a disproportionate amount of serious crimes that are committed against the public by a relatively small number of multiple and repeat felony offenders. This measure will help support the prosecution of these career criminals.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1286, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1286, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (McKelvey). Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 1017 Higher Education & Technology on S.B. No. 717

The purpose of this measure is to require the Department of Hawaiian Home Lands, with the assistance of the Office of Enterprise Technology Services, to create a digital database of its applicant, beneficiary, and lessee records.

Your Committee received testimony in support of this measure from three individuals. Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that while basic Department of Hawaiian Home Lands applicant waiting lists are available for download on its website, the exact details of each applicant, including whether the applicant has applied for multiple leases, been denied a prior lease, or been skipped over, are not readily accessible. Your Committee further finds that the Department of Hawaiian Home Lands began implementing an electronic document imaging system in June 2013 that converted applicant and lessee records to digital media. This significantly improved accessibility to the electronic record system for Department of Hawaiian Home Lands' neighbor island offices. Your Committee also finds that digitizing Department of Hawaiian Home Lands' applicant, beneficiary, and lessee records will increase efficiency and improve access to these records.

Your Committee has amended this measure by changing the effective date to July 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 717, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 717, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Gates, Quinlan).

SCRep. 1018 Higher Education & Technology on S.B. No. 135

The purpose of this measure is to require the Office of Enterprise Technology Services to establish a working group to:

- (1) Conduct a study to identify state office buildings that are able to provide equitable telecommunication access to residents of the counties of Hawaii, Kauai, and Maui and residents of rural areas in the City and County of Honolulu, including residents with disabilities, to participate remotely in legislative hearings; and
- (2) Submit a report of its findings and recommendations, including any proposed legislation, to the Legislature prior to the 2022 Regular Session.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services, Office of the Mayor of the City and County of Honolulu, and Disability and Communication Access Board.

Your Committee finds that the coronavirus pandemic closed many public and private places, including workplaces, and curtailed activities in everyday life and the way people interact with one another. The pandemic heightened the need for remote work and learning capabilities and brought this immediate need to the forefront. Your Committee further finds that this measure will assist in making legislative hearings more accessible to residents statewide, particularly residents in rural areas and residents with disabilities, thereby enabling greater citizen participation in the legislative process.

Your Committee has amended this measure by:

- (1) Adding a person with a communication disability to the working group;
- (2) Dissolving the working group on June 30, 2022; 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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 135, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 135, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Gates, Quinlan).

SCRep. 1019 Legislative Management on S.B. No. 229

The purpose of this measure is to:

- (1) Require each department to submit an annual report for each non-general fund account to the Auditor in addition to the Legislature;
- (2) Require that each department's annual report for each non-general fund account include, among other things, the status of implementing certain recommendations made by the Auditor and any reasons no action has been taken, if applicable; and
- (3) Require the Auditor to include in the Auditor's annual report on certain special, revolving, and trust funds an identification of any recommendations that were included in any of the Auditor's reports published over the previous five years but have not yet been implemented.

Your Committee did not receive any testimony on this measure.

Your Committee finds that because of the state budget deficit caused by the COVID-19 pandemic, the State requires valuable, detailed information about its non-general funds. This measure will ensure accurate reporting on the State's non-general funds by requiring the executive departments to provide information about the non-general funds to the Auditor as well as the Legislature on an annual basis.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 229, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

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

SCRep. 1020 Legislative Management on S.B. No. 732

The purpose of this measure is to require the Legislative Reference Bureau to conduct a study on the efficacy of the Hawaii CARES program administered by the Adult Mental Health Division of the Department of Health's Behavioral Health Administration and provide a report of its findings and recommendations to the Legislature.

Your Committee received testimony in support of this measure from Young Progressives Demanding Action and one individual. Your Committee received comments on this measure from the Department of Health, Legislative Reference Bureau, Hawai'i Psychological Association, and nine individuals.

Your Committee finds that the study proposed by this measure will evaluate the efficacy of the behavioral health services provided by the Hawaii CARES program. Your Committee further finds that it is in the State's interest to determine the status of the State's resources for non-violent responses to incidents related to mental health, substance abuse, and suicide threats to prevent unnecessary duplication of services.

Your Committee notes that the intent of this measure is to ensure that those who initially respond to mental health crisis incidents have been appropriately trained and are appropriately equipped to provide non-violent responses to these incidents. Your Committee recognizes the work performed by the Behavioral Health Administration and its Senate counterparts on this measure to address mental health in 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 is in accord with the intent and purpose of S.B. No. 732, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Pandemic & Disaster Preparedness.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Morikawa). Noes, none. Excused, 1 (Belatti).

SCRep. 1021 Economic Development on S.B. No. 509

The purpose of this measure is to require the Department of Education to:

- (1) Establish criteria for industry certification awards for public high schools to encourage students to obtain industry-recognized certifications in high value occupations; and
- (2) Submit an annual report to the Legislature containing specific information regarding the industry certification award progress.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Labor and Industrial Relations and Department of Education.

Your Committee finds that the State has critical shortages of qualified local workers in sectors such as health care, education, air travel, and technology. This measure provides an opportunity to strategically prepare public high school students for the workforce in occupations that have high demand for competent and skilled employees, high potential for growth, and high wages.

Your Committee has amended this measure by 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 509, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 509, S.D. 2, H.D. 1, and be referred to your Committee on Education.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 1022 Economic Development on S.B. No. 947

The purpose of this measure is to establish the Hawaii Broadband and Digital Equity Office within the Department of Business, Economic Development, and Tourism.

Your Committee received testimony in support of this measure from the Department of Health; Department of Business, Economic Development, and Tourism; Department of Human Services; Department of Transportation; Department of Research and Development for the County of Hawaii; AARP Hawai'i; Hawaii Broadband Hui; and Hawai'i Primary Care Association. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that it is critical to improve access to broadband services for residents throughout the State. This measure will establish a Hawaii Broadband and Digital Equity Office to develop and support increased access to these vital technologies to further enhance economic development, education, health care, and emergency services.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 947, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 1023 Economic Development on S.B. No. 1204

The purpose of this measure is to:

- (1) Replace the four District Taxation Boards of Review with a single statewide Taxation Board of Review consisting of ten members to be appointed by the Governor; and
- (2) Authorize taxpayers and others appearing before the Taxation Board of Review to participate using cost-efficient means such as teleconferencing.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that existing laws regarding the Boards of Review for each taxation district have resulted in overwhelming challenges in the taxation appeals process. This measure replaces the four district boards with a single, statewide Taxation Board of Review, which will improve efficiency in tax administration and ensure Hawaii taxpayers are able to have their tax appeals decided expeditiously.

Your Committee has amended this measure by 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1204, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1204, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 1024 Economic Development/Agriculture on S.B. No. 263

The purpose of this measure is to:

- (1) Transfer oversight of the Made in Hawaii Program as it relates to manufactured products to the Department of Business, Economic Development, and Tourism;
- (2) Place the Grown in Hawaii with Aloha Program under the management of the Department of Agriculture;
- (3) Transfer ownership of the "Made in Hawaii with Aloha" trademark from the Department of Agriculture to the Department of Business, Economic Development, and Tourism; and
- (4) Appropriate funds to the Department of Business, Economic Development, and Tourism to promote the "Made in Hawaii with Aloha" brand.

Your Committees received testimony in support of this measure from the Hawaii Technology Development Corporation, Chamber of Commerce Hawaii, Hawaiian Craft Brewers Guild, and Young Democrats of Hawai'i. Your Committees received comments on this measure from the Department of Business, Economic Development, and Tourism; and Department of Agriculture.

Your Committees find that protecting the integrity and authenticity of Hawaii-branded products is an integral part of the State's economic development strategy. This measure ensures that Hawaii's local manufactured and agricultural products can continue to be effectively marketed and promoted across the world.

As affirmed by the records of votes of the members of your Committees on Economic Development and Agriculture that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 263, S.D. 2, and recommend that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Economic Development: Ayes, 8. Noes, none. Excused, none.

Agriculture: Ayes, 8. Noes, none. Excused, none.

SCRep. 1025 Water & Land on S.B. No. 1166

The purpose of this measure is to authorize the Board of Land and Natural Resources to approve reductions in or waivers of rent for leases that require substantial demolition costs or infrastructure improvement costs for the lessee to utilize the premises.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received testimony in opposition to this measure from Kūpuna for the Mo'opuna. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

Your Committee finds that this measure seeks to authorize the Board of Land and Natural Resources to approve reductions in or waivers of rent for certain long-term leases by an amount that must not exceed the amount of the lessee's total expenditures for demolition or provision of infrastructure. This measure is part of an effort by the Department of Land and Natural Resources to bring its leasing practices to commercially reasonable standards.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1166, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1166, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 1026 Education on S.B. No. 224

The purpose of this measure is to:

- (1) Require public schools that have a career and technical education program to enroll all high school students, including students who reside outside of the school's service area, who submit a timely application for participation in the program, subject to certain capacity requirements; and
- (2) Exempt a student enrolled in a career and technical education program from the requirement to attend school within the service area in which the student resides.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that educational programs specializing in career readiness and technical expertise can provide students with the skills needed to pursue careers in the State when they enter the job market. Your Committee believes that this measure will expand the number of students receiving career and technical skills education by allowing students to enroll in career and technical programs relating to health care workforce development, regardless of where they reside.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050; and
- (2) 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 is in accord with the intent and purpose of S.B. No. 224, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 224, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Yamane).

SCRep. 1027 Education on S.B. No. 242

The purpose of this measure is to improve digital literacy throughout Hawaii by:

- (1) Establishing a timeline for public elementary, middle, and intermediate schools to offer computer science courses or computer science content;
- (2) Beginning with the 2024-2025 school year, requiring each public charter school that serves elementary, middle, intermediate, or high school students to offer computer science courses or content at a certain frequency; and
- (3) Establishing the Computer Science Special Fund to provide grants to eligible entities to support computer science education.

Your Committee received testimony in support of this measure from the Department of Education, Workforce Development Council, Hawai'i Society for Technology in Education, HawaiiKidsCAN, Code.org, Computational Thinkers, Geeks for Good, and twelve individuals. Your Committee received testimony in support of the intent of this measure from Microsoft. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the global COVID-19 pandemic has illustrated a need to diversify the State's economy beyond tourism and has shown the importance of digital literacy. Your Committee further finds that the economic disruption caused by the pandemic has increased the focus on computer science education as a key driver of economic growth and digital literacy. Your Committee believes this measure will further promote computer science education in Hawaii and prepare students for fields related to computer science that have the potential to encourage job growth and innovation throughout the economy.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050; and
- (2) 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 is in accord with the intent and purpose of S.B. No. 242, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 242, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Yamane).

SCRep. 1028 Education on S.B. No. 702

The purpose of this measure is to require the Committee on Weights to submit a report to the Legislature detailing any changes to the funding formula within thirty days of the posting of the Committee's final report indicating the approval of its recommended change to the funding formula.

Your Committee received comments on this measure from the Department of Education.

Your Committee finds that the Committee on Weights is responsible for, among other things, reviewing the issue of funding and revising the funding formula to provide for the equitable distribution of funds to all Hawaii public schools. Although insufficient funding for public schools is a major concern, various Committees on Weights have recommended, and the Board of Education has approved, changes in the formula factor that has amended the funding formula for public schools. This measure will apprise the Legislature of these changes and help inform any related legislative actions.

Your Committee has amended this measure by changing its effective date to July 1, 2051.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 702, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 702, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Ohno).

SCRep. 1029 Education on S.B. No. 813

The purpose of this measure is to require charter school authorizers to provide the authorizer's respective charter school with a list of independent auditors, rather than selecting three independent auditors, from which their respective charter school is to select an independent auditor for its annual financial audit.

Your Committee received testimony in support of this measure from the State Public Charter School Commission and Kanu o Ka Aina New Century Public Charter School. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from Kanu o ka Aina Learning Ohana.

Your Committee finds that the availability of services of auditors selected by the State Public Charter School Commission is limited for neighbor island charter schools. Your Committee further finds that this measure will increase audit services and reduce the delay in the completion of audits for charter schools across the State.

Your Committee has amended this measure by changing its effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 813, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 813, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Ohno).

SCRep. 1030 Education on S.B. No. 1004

The purpose of this measure is to require the Department of Education to include the teaching of financial literacy in the personal/transition plan requirement for each student, beginning with the 2021-2022 school year.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii, Hawaii Credit Union League, Filipino Chamber of Commerce of Hawaii, and eight individuals. Your Committee received testimony in support of the intent of this measure from the Department of Education.

Your Committee finds that financial education is a lifelong learning process that empowers individuals to plan for their futures. In the past, the educational system has assumed that students learn important financial skills from their families. However, not all students are learning the financial skills they will need to be successful later in life. This measure will ensure that Hawaii's students receive financial education to help them achieve financial prosperity and stability.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050; and
- (2) 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 is in accord with the intent and purpose of S.B. No. 1004, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1004, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Ohno).

SCRep. 1031 Education on S.B. No. 804

The purpose of this measure is to:

- (1) Authorize the Hawaii Public Housing Authority and Hawaii Housing Finance and Development Corporation to provide affordable rental housing for teachers employed by the Department of Education and public charter schools;
- (2) Authorize the Hawaii Housing Finance and Development Corporation to contract or sponsor with any state or county department or agency for public school teachers' affordable housing;
- (3) Require the Department of Education to lease land and contract with private entities for the development, management, maintenance, or revitalization of teacher housing;
- (4) Permit the private entity leasing land from the Department of Education to lease to other eligible tenants under certain circumstances;
- (5) Appropriate funds to the Hawaii Public Housing Authority for the provision of rental housing for public school teachers and public charter school teachers; and
- (6) Appropriate funds into and out of the Dwelling Unit Revolving Fund for the development of rental housing for teachers.

Your Committee received testimony in support of this measure from the Department of Education; Stanford Carr Development, LLC; Hawaii State Teachers Association; Hawai'i Association of REALTORS; and one individual. Your Committee received testimony in support of the intent of this measure from the Hawaii Housing Finance and Development Corporation. Your Committee received comments on this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that there are several factors that have led to the teacher shortage in Hawaii, including the high cost of living, teacher salaries, and access to affordable housing. Your Committee further finds that providing affordable housing to teachers can aid in the recruitment and retention of public school teachers in Hawaii. This measure provides a means of addressing the shortage of teachers in the State by providing financial incentives such as affordable housing for teachers.

Your Committee has amended this measure by:

- (1) Changing the amounts appropriated in this measure to unspecified amounts;
- (2) Changing its effective date to July 1, 2051; 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 is in accord with the intent and purpose of S.B. No. 804, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 804, S.D. 1, H.D. 1, and be referred to your Committee on Housing.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Okimoto). Noes, none. Excused, 1 (Ohno).

SCRep. 1032 Education/Water & Land on S.B. No. 806

The purpose of this measure is to require the Attorney General, on behalf of the Department of Education, to institute proceedings to acquire certain land owned by the Mililani Town Association by voluntary action or condemnation.

Your Committees received testimony in support of this measure from the Department of Education. Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that the Mililani Town Association owns certain parcels of land near Mililani High School. Your Committees further find that the Department of Education intends to use the land to build an access ramp that is compliant with the Americans for Disabilities Act for students, staff, family members, and the general public to use. Your Committees additionally find that the acquisition of the parcels of land will also give control of a certain walkway that cuts through Mililani High School to the Department of Education, which will reduce cases of vagrancy and ensure safety and security of the school. This measure provides a legal process for the acquisition of the parcels of land by the State in a manner agreeable to all parties.

Your Committees have amended this measure by changing its effective date to July 1, 2050.

As affirmed by the records of votes of the members of your Committees on Education and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 806, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 806, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chairs on behalf of the Committees.

Education: Ayes, 8. Noes, none. Excused, 4 (Belatti, Hashimoto, Quinlan, Yamane).

Water & Land: Ayes, 8. Noes, none. Excused, none.

SCRep. 1033 Transportation on S.B. No. 57

The purpose of this measure is to:

- (1) Codify certain certification, renewal, and violation processes of vehicle inspectors who conduct vehicle safety inspections; and
- (2) Repeal the requirement for reconstructed vehicles to obtain a special inspection and certification.

Your Committee received testimony in support of this measure from the Department of Transportation; Oahu Motorsports Association; 4Runnation Hawaii; 808 Street Rods; Kings Ride Truck Club; Racing & Chillax in Da808; BTT, LLC; and numerous individuals. Your Committee received comments on this measure from the Honolulu Police Department and Corvette Club of Hawaii.

Your Committee finds that existing law requires vehicles in the State to pass an inspection check to ensure the safety of the driver and passengers in any vehicle on Hawaii's roads. Despite this requirement, there is no codified law regarding the supervision and certification of all inspectors authorized to conduct vehicle inspections. This measure would address that by codifying the process by which vehicle inspectors obtain and renew their certification and the penalties for improper inspection.

Your Committee further finds that the reconstructed vehicle inspection program may no longer be necessary. Available crash data does not indicate that reconstructed vehicles are more dangerous than other vehicles. However, your Committee believes there is merit in maintaining the reconstructed vehicles inspection program to avoid any modifications that are made to a vehicle that may change the weight of the vehicle, thereby causing more damage to the State's roads. Your Committee further believes that it would be beneficial for the Department of Transportation to study the effects of repealing the reconstructed vehicle inspection program so that the Legislature may make a more informed decision on whether or not to permanently repeal the program.

Accordingly, your Committee has amended this measure by:

- (1) Requiring the Department of Transportation to submit a report on the effects of repealing the reconstructed vehicles inspection program to the Legislature by July 1, 2024;
- (2) Specifying that the repeal of the reconstructed vehicles inspection program shall take effect on January 1, 2022, and be reenacted on July 31, 2025; 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 57, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 57, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Nakamura, Matsumoto).

SCRep. 1034 Transportation on S.B. No. 32

The purpose of this measure is to require public utilities to consider the disruption to transportation as a criterion in planning future maintenance.

Your Committee received comments on this measure from Hawai'i Gas.

Your Committee finds that the maintenance of certain public utilities causes significant traffic congestion, further exacerbating existing traffic problems throughout the State. While your Committee recognizes the importance of maintaining the State's utility infrastructure, your Committee believes that the effects on traffic should be considered prior to any new installation or ongoing and future maintenance projects to help mitigate traffic congestion.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that in addition to planning future maintenance, a public utility seeking a permit to disturb a highway shall also consider the disruption to traffic and transportation in planning ongoing maintenance and new installation; and
- (2) Requiring the Director of Transportation to coordinate all projects seeking a permit to disturb a state highway to minimize traffic congestion caused by

a project.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 32, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 32, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Nakamura, Matsumoto).

SCRep. 1035 Transportation on S.B. No. 1401

The purpose of this measure is to:

- (1) Require the Department of Transportation to submit an annual report to the Legislature detailing compliance with the complete streets policy and principles;
- (2) Require the Department of Transportation to establish and publish performance standards with measurable benchmarks reflecting the capacity for all users to travel safely and conveniently along state roadways;
- (3) Require that the complete street policies of the State apply to new construction, reconstruction, repaving, operations, and maintenance activities;
- (4) Require the Department of Transportation to create a complete streets policy checklist for each project and post the checklist online; and
- (5) Require the counties to consider complete street policies when adopting or amending land use ordinances.

Your Committee received testimony in support of this measure from the Department of Health; Department of Transportation; Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu; Palehua Townhouse Association; AARP Hawai'i; American Heart Association; Ulupono Initiative; Blue Zones Project; Hilo Bayfront Trails, Inc; People's Advocacy for Trails Hawaii; Hawai'i Public Health Institute; Hawaii Bicycling League; AlohaCare; and four individuals.

Your Committee finds that complete streets are streets designed and operated to enable safe use of streets and support mobility for all users. Act 54, Session Laws of Hawaii 2009, established the complete streets law, which requires the Department of Transportation and the county transportation departments to adopt policies that seek to reasonably accommodate convenient access and mobility to all users of the public highways, including pedestrians, bicyclists, and motorists. This measure will support the development of streets that encourage walking and bicycling, thereby improving the health of residents, while also creating a safer environment for motorists.

Your Committee has amended this measure by:

- (1) Specifying that the five percent of eligible federal funds that are required to be used for bikeway expenditures is based on a three-year average; and
- (2) 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1401, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1401, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Nakamura, Matsumoto).

SCRep. 1036 Transportation on S.B. No. 615

The purpose of this measure is to:

- (1) Require all moped and motor scooter rental companies to ensure the rider wears a safety helmet supplied either by the company or the renter;
- (2) Exempt riders with a motorcycle license from having to wear a safety helmet while riding a rented moped or motor scooter;
- (3) Prohibit the rental of any moped or motor scooter with aftermarket modifications; and
- (4) Amend the definition of "motor scooter".

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, Keiki Injury Prevention Coalition, and numerous individuals.

Your Committee finds that wearing a helmet when operating a moped or motor scooter can increase the chance of survival in the event of an accident. According to the Hawaii Injury Prevention Plan for 2012-2017, published by the Emergency Medical Services and Injury Prevention System Branch of the Department of Health, helmets can reduce the risk of death by forty-two percent and reduce the risk of a head injury by sixty-nine percent. This measure will ensure the safety of residents and visitors of the State and reduce the number of traffic related fatalities by requiring certain moped and motor scooter operators to wear helmets.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 615, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 615, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Nakamura, Matsumoto).

SCRep. 1037 Transportation on S.B. No. 287

The purpose of this measure is to:

- (1) Require the Department of Transportation and counties to implement a vision zero program in the State by July 1, 2022; and
- (2) Establish a goal of no traffic fatalities or serious injuries by 2045.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, Blue Zones Project, Mothers Against Driving Hawaii, People's Advocacy for Trails Hawaii, Hawai'i Public Health Institute, Hawaii Bicycling League, AlohaChare, Keiki Injury Prevention Coalition, and three individuals.

Your Committee finds that vision zero is a multi-national road traffic safety project that aims to achieve a traffic system with no fatalities or serious injuries involving traffic. As of March 2021, there have already been 17 traffic related fatalities throughout the State. Your Committee believes that vision zero is a step forward toward decreasing these numbers and providing a safe environment for all Hawaii residents.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 287, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 287, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Nakamura, Matsumoto).

SCRep. 1038 Health, Human Services, & Homelessness on S.B. No. 221

The purpose of this measure is to allow the Governor's Coordinator on Homelessness, in conjunction with the Hawaii Interagency Council on Homelessness, to develop plans for the City and County of Honolulu and the counties of Hawaii, Kauai, and Maui to coordinate the services and shelter facilities of public agencies and nonprofit organizations to meet the concerns of communities impacted by homelessness and the needs of the homeless population of the regions within each county.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawaiian Affairs Caucus of the Democratic Party of Hawai'i, Hawaii Youth Services Network, and three individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Hawaii Health & Harm Reduction Center, and Catholic Charities Hawaii.

Your Committee finds that the homeless population in each county has unique regional needs and that a coordinated plan between the counties is critical in addressing and combating homelessness in the State. Your Committee further finds that directing the Governor's Coordinator on Homelessness to develop separate regional plans for each county to coordinate homelessness services and shelter facilities with public agencies and nonprofit organizations will more effectively address homelessness in each community.

Your Committee has amended this measure by:

- (1) Requiring, rather than permitting, the Governor's Coordinator on Homelessness to coordinate with the counties to develop separate regional plans for each county for the coordination of services and shelter facilities of public agencies and nonprofit organizations to meet the regional needs of the homeless populations in the State;
- (2) Requiring the county plans to include specific strategies to address the unmet needs in each county;
- (3) Requiring the Governor's Coordinator on Homelessness to provide annual reports on the status of the county plans to the Legislature no later than twenty days prior to the convening of each regular session starting with the Regular Session of 2022;
- (4) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 221, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 221, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1039 Health, Human Services, & Homelessness on S.B. No. 387

The purpose of this measure is to establish the conditions and time limits for placing a child in room confinement in a detention or shelter facility.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Office of Youth Services, Hawaii Psychological Association, and ACLU of Hawaii. Your Committee received comments on this measure from the Department of the Attorney General and Judiciary.

Your Committee finds that Congress passed the First Step Act in 2018, which prohibits facilities that confine youth in federal custody from using room confinement as punishment and permits such confinement only when youth behavior poses a risk of physical harm that cannot be otherwise de-escalated. In addition to Congress, the United States Department of Justice, and prominent national professional organizations have taken strong positions against the isolation of youth. This measure ensures the basic safety and protection of the State's youth by establishing statutory conditions and time limits on room confinement at detention and shelter facilities.

Your Committee has amended this measure by:

- (1) Clarifying that status offenders shall not be placed in secure detention or shelter facilities;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 387, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 387, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1040 Health, Human Services, & Homelessness on S.B. No. 821

The purpose of this measure is to:

- (1) Allow a minor who has reached the age of sixteen to petition the Family Court for emancipation;
- (2) Direct the Family Court regarding investigation of the petition, appointment of legal counsel and a guardian ad litem for the petitioning minor, and the findings necessary to grant the petition for emancipation;
- (3) Specify the rights gained by the minor upon emancipation; and
- (4) Authorize the Family Court to require the minor's parents or legal guardians to pay for any services ordered by the Family Court.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that when a minor who has reached the age of sixteen petitions the Family Court for emancipation, the Family Court must act to protect the best interests of the petitioning minor. Your Committee further finds that this measure includes necessary safeguards to ensure that a minor seeking to emancipate possesses the necessary knowledge and skills to take on adult responsibilities, is capable of financial self-support, is not under duress or coercion from a parent or legal guardian to seek emancipation, and can continue to receive educational and other services intended and needed by adolescents.

Your Committee has amended this measure by:

- (1) Making mandatory, rather than permissive, the Family Court's obligations to:
 - (A) Order investigations by Child Welfare Services or order a minor to undergo a mental health evaluation;
 - (B) Enter an order declaring the minor emancipated if certain factors are met by clear and convincing evidence; and
 - (C) Require a minor's parents or legal guardians to pay for any services ordered by the Family Court;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 821, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 821, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1041 Health, Human Services, & Homelessness on S.B. No. 324

The purpose of this measure is to amend the definition of the practice of medicine to provide uniformity of practice for medical and osteopathic physicians.

Your Committee received testimony in support of this measure from the Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs, Hawaii Medical Board, and Kaiser Permanente Hawai'i.

Your Committee finds that medical doctors and osteopathic doctors receive the same education and training and should thus be treated equally. This measure updates the definition of the practice of medicine because the practice of medicine includes not only the treatment of disease, as the existing definition provides, but also encompasses the prevention of disease.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 324, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 324, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1042 Health, Human Services, & Homelessness on S.B. No. 506

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist Wahiawa General Hospital with its long-term debt restructuring.

Your Committee received testimony in support of this measure from Wahiawa General Hospital and ILWU Local 142. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that for over the past fifteen years, Wahiawa General Hospital has experienced severe financial difficulties, due to the impacts of several factors, including the reopening of The Queen's Medical Center West Oahu in Ewa, Oahu; reductions in Medicare, Medicaid, and private insurance requirements under the federal Patient Protection and Affordable Care Act; the ongoing shortage of physicians in the State; uncertainty in the availability of federal and state funding caused by instability in federal health care policy; and an increasing need for the provision of indigent care, which includes the homeless population. In addition, the COVID-19 pandemic has exacerbated Wahiawa General Hospital's fiscal challenges.

Your Committee recognizes that Wahiawa General Hospital is critical to providing a continuum of health care services in the State. It provides critical health care service needs to many residents and serves as a major employer in Wahiawa, Oahu. This measure will enable Wahiawa General Hospital to restructure its long-term debt and position itself to continue its mission of serving the health care needs of Central Oahu, North Shore, and other communities.

Your Committee has amended this measure by:

- (1) Changing the special purpose revenue bond amount to an unspecified amount;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 506, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 506, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (LoPresti, Ward).

SCRep. 1043 Health, Human Services, & Homelessness on S.B. No. 663

The purpose of this measure is to enact an interstate compact to award prizes for the curing of diseases.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from one individual.

Your Committee finds that the goal of medical research is to develop safe and effective methods to prevent, detect, diagnose, treat, and ultimately cure various diseases. Spurring the development and innovation of new cures for major diseases has the potential to save lives, save the State millions of dollars in health care costs, and improve the standard of living for residents of the State and throughout the world. However, your Committee believes additional information is needed prior to joining an interstate compact.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting provisions that require the Department of Health to establish a task force to study the feasibility of entering into the solemn covenant of the states to award prizes for curing diseases;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 663, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 663, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1044 Health, Human Services, & Homelessness on S.B. No. 819

The purpose of this measure is to preserve access to health care for Medicaid recipients by extending the Hospital Sustainability Program.

Your Committee received testimony in support of this measure from the Department of Human Services, Adventist Health Castle, The Queen's Health Systems, Kaiser Permanente Hawaii, Hawaii Primary Care Association, Healthcare Association of Hawaii, and Hawaii Pacific Health. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the Hospital Sustainability Program, which was established in 2012, enables the State to leverage federal matching funds for hospitals that provide services to underserved, uninsured, and underinsured populations in Hawaii. Your Committee further finds that continuing the Hospital Sustainability Program will ensure the continued sustainability of hospitals in the State and help address ongoing budget constraints in the Medicaid program.

Your Committee has amended this measure by changing the effective date to July 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 819, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 819, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (LoPresti, Ward).

SCRep. 1045 Health, Human Services, & Homelessness on S.B. No. 827

The purpose of this measure is to improve breast cancer detection rates in the State by:

- (1) Increasing the categories of women required to be covered for mammogram screenings;
- (2) Requiring the existing health insurance mandate for coverage of low-dose mammography to include advancing technology in digital mammography and breast tomosynthesis; and
- (3) Requiring health care providers to be reimbursed at rates accurately reflecting the resource costs specific to each service, including any increased resource cost after January 1, 2021.

Your Committee received testimony in support of this measure from the Hawaii Primary Care Association, Hawaii Pacific Health, Hawaii Medical Association, Hawaii Society of Clinical Oncology, Hawaii Radiological Society, Hawaii Women Lawyers, and two individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Health, Hawaii Association of Health Plans, Hawaii Medical Service Association, and Kaiser Permanente Hawaii.

Your Committee finds that H.B. No. 309, H.D. 2 (Regular Session of 2021), a substantially similar measure, was previously passed by your Committee.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. No. 309, H.D. 2, a measure that:
 - (A) Expands coverage of breast cancer screening and imaging to include an annual mammogram for a woman of any age with an above average risk for breast cancer, risk factor screening for women ages thirty or older, and additional supplemental imaging for any woman regardless of age, as deemed medically necessary by an applicable American College of Radiology guideline; and
 - (B) Requires the Auditor to conduct an impact assessment report to assess the social and financial impacts of the proposed mandated coverage and report to the Legislature prior to the Regular Session of 2022;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 827, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 827, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1046 Health, Human Services, & Homelessness on S.B. No. 838

The purpose of this measure is to:

- (1) Authorize the reduction of the thirty-hour per week employment requirement for qualified caregivers under the Kupuna Caregivers Program during a Governor-declared State of Emergency;
- (2) Specify that the Kupuna Caregivers Program is to be delivered through either traditional service delivery or kupuna caregiver-directed services; and
- (3) Allow the funds under the Kupuna Caregivers Program to be issued to the care recipient's financial management service provider.

Your Committee received testimony in support of this measure from the Department of Human Services, Executive Office on Aging, Policy Advisory Board for Elder Affairs, AARP Hawaii, Hawaii Family Caregiver Coalition, Alzheimer's Association, and twelve individuals. Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that because of the COVID-19 pandemic, many kupuna caregivers lost their jobs, and contracted service providers either closed or decrease their services. Your Committee further finds that this decrease in services by contracted service providers placed additional burdens on caregivers and their caregiving duties. This measure seeks to reduce burdens on kupuna care services by providing additional flexibility to qualified caregivers and contracted providers.

Your Committee has amended this measure by:

- (1) Clarifying that service providers and coaches are mandatory reporters who have received Adult Protective Services training;
- (2) Requiring, rather than permitting, the Director of the Executive Office on Aging to adopt administrative rules for the purposes of regulating the Kupuna Caregivers Program;
- (3) Requiring the Executive Office on Aging to submit an annual report to the Legislature on the status of the Kupuna Caregivers Program;
- (4) Amending the preamble for conciseness and to update its amended purpose;
- (5) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 838, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 838, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1047 Health, Human Services, & Homelessness on S.B. No. 589

The purpose of this measure is to require:

- (1) The Director of the University of Hawaii Cancer Center to be appointed by the University of Hawaii's Board of Regents upon recommendation from the Provost of the University of Hawaii at Manoa instead of the Dean of the John A. Burns School of Medicine;
- (2) The University of Hawaii Cancer Center to be administratively affiliated with the John A. Burns School of Medicine;
- (3) The Director of the University of Hawaii Cancer Center to report to the Provost of the University of Hawaii at Manoa and the Dean of the John A. Burns School of Medicine and coordinate with the President of the University of Hawaii;
- (4) Funds expended from or originating from the University of Hawaii Tuition and Fees Special Fund for the John A. Burns School of Medicine or the University of Hawaii Cancer Center to be used for educational purposes only; and
- (5) Funds expended from or originating from the Research and Training Revolving Fund for the John A. Burns School of Medicine or the University of Hawaii Cancer Center to be used for research and research-related purposes only.

Your Committee received testimony in opposition to this measure from the University of Hawaii System, University of Hawaii Professional Assembly, University of Hawaii Cancer Center, Hawaii Society of Clinical Oncology, and numerous individuals. Your Committee received comments on this measure from the American Cancer Society Cancer Action Network.

Your Committee finds that the work of the University of Hawaii Cancer Center helps address cancer through research, patient care, and community outreach. Your Committee also finds that the University of Hawaii Cancer Center is the only National Cancer Institute-designated cancer center in Hawaii and the broader Pacific region. This measure establishes complementary strategic priorities and coordinates the management of resources provided to the University of Hawaii John A. Burns School of Medicine and University of Hawaii Cancer Center, which will help avoid duplication of administrative expenses, foster a uniform strategic vision, and increase efficiency.

Your Committee notes that Act 38, Session Laws of Hawaii 2017 (Act 38), which is scheduled to sunset on June 30, 2022, exempted University of Hawaii-sponsored technology transfer activities from specific sections of the State Ethics Code as long as the technology transfer activities complied with the regulatory framework and research compliance program and policies approved by the University of Hawaii Board of Regents. Your Committee finds that removing the sunset date for Act 38 will enable the University of Hawaii to continue to regulate conflicts of interest and other ethical issues for the technology transfer activities it sponsors.

Your Committee also finds that Act 39, Session Laws of Hawaii 2017, which is scheduled to sunset on June 30, 2021, established the Innovation and Commercialization Initiative Program within the University of Hawaii. Your Committee recognizes that making the Innovation and Commercialization Initiative Program permanent will enable the University of Hawaii to continue to collaborate and complement other research commercialization or venture funding programs by other state agencies, as well as further research commercialization and economic development in the State.

Accordingly, your Committee has amended this measure by:

- (1) Removing the requirement that the Director of the Cancer Research Center of Hawaii report to the Dean of the John A. Burns School of Medicine;
- (2) Inserting the contents of H.B. No. 1064, H.D. 1, a measure that allows the University of Hawaii to continue its contribution to research commercialization and economic development by repealing the sunset provision in Act 38, Session Laws of Hawaii 2017;
- (3) Inserting the contents of H.B. No. 1065, H.D. 1, a measure that makes the Innovation and Commercialization Initiative Program permanent by repealing the sunset provision in Act 39, Session Laws of Hawaii 2017;
- (4) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 589, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 589, S.D. 2, H.D. 1, and be referred to your Committee on Higher Education & Technology.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Kapela). Noes, none. Excused, 1 (LoPresti).

SCRep. 1048 Health, Human Services, & Homelessness on S.B. No. 1139

The purpose of this measure is to allow the Department of Health to fully operationalize the Office of Medical Cannabis Control and Regulation to ensure patient access and regulatory oversight of the licensed dispensaries by:

- (1) Authorizing the Department of Health to adopt administrative rules to establish patient registration fees beginning in fiscal year 2022;
- (2) Appropriating monies from the Medical Cannabis Registry and Regulation Special Fund for Office of Medical Cannabis Control and Regulation positions and operations; and
- (3) Establishing, hiring, and filling three new permanent full-time equivalent positions funded by the Medical Cannabis Registry and Regulation Special Fund.

Your Committee received testimony in support of this measure from the Department of Health and Hawai'i Cannabis Industry Association. Your Committee received comments on this measure from the Akamai Cannabis Clinic.

Your Committee finds that, in order to mitigate budget shortfalls caused by the COVID-19 pandemic, the Office of Medical Cannabis Control and Regulation was required to cut six full-time positions, which included the Office's administrative staff. Your Committee further finds that using the Medical Cannabis Registry and Regulation Special Fund to finance some of those positions will enable the Office of Medical Cannabis Control and Regulation to hire administrative personnel to support the Office's programmatic efforts.

Your Committee has amended this measure by:

- (1) Clarifying that the appropriated funds shall be used to provide administrative support to the Office of Medical Cannabis Control and Regulation in addition to funding positions and operations;
- (2) Reducing the number of new full-time equivalent positions established from three to one;
- (3) Requiring the Office of Medical Cannabis Control and Regulation to convene a task force to explore the impact of legalizing cannabis on qualifying medical cannabis patients;
- (4) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1139, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1139, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Ward). Noes, none. Excused, 1 (LoPresti).

SCRep. 1049 Health, Human Services, & Homelessness on S.B. No. 1285

The purpose of this measure is to require any hospital that serves a community having more than five hundred Compact of Free Association benefit recipients to:

- (1) Establish diversity and inclusion training for all staff; and
- (2) Hire interpreters and community healthcare workers as necessary to bridge the language and cultural divide with the community.

Your Committee received testimony in support of this measure from The Queen's Health Systems, Hawai'i Coalition for Immigrant Rights, and five individuals. Your Committee received comments on this measure from the Department of the Attorney General, Kaiser Permanente Hawai'i, Healthcare Association of Hawaii, Hawai'i Pacific Health, and one individual.

Your Committee finds that many Compact of Free Association (COFA) benefit recipients have experienced prejudice and discrimination in the health care system and as a result no longer use medical facilities as a first option to treat illness. Your Committee further finds that, with the reinstatement of Medicaid and Children's Health Insurance Program eligibility, many COFA benefit recipients are now able to participate in Medicaid and will no longer be part of the State's uninsured population. This measure will reduce barriers to health care by developing programs to bridge cultural and language gaps between health care providers and COFA benefit recipients.

Your Committee has amended this measure by:

- (1) Requiring only Hawaii Health Systems Corporation hospitals in counties with an area greater than four thousand square miles who serve Compact of Free Association benefit recipients to establish diversity and inclusion staff training and hire interpreters and community health care workers, as needed;
- (2) Requiring the Hawaii Health Systems Corporation to provide oversight and enforcement of the diversity and inclusion staff training and hiring of interpreters and community health care workers, as needed;
- (3) Requiring the Hawaii Health Systems Corporation to make a report to the Legislature on the status of the diversity and inclusion staff training and the hiring of interpreters and community health care workers;

- (4) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1285, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1285, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1050 Health, Human Services, & Homelessness on S.B. No. 1340

The purpose of this measure is to enable the Hawaii Medical Board to license emergency ambulance service personnel and other emergency medical responders.

Your Committee received testimony in support of this measure from the Department of Health, Department of Transportation, American Medical Response, and six individuals. Your Committee received testimony in opposition to this measure from the State Fire Council and Honolulu Fire Department. Your Committee received comments on this measure from the Hawaii Medical Board.

Your Committee finds that emergency medical responders provide at-the-scene, life-saving care with minimal equipment to critical care patients and have the knowledge and skills necessary to provide immediate interventions while awaiting arrival of additional emergency medical services. However, existing law only provides for certification of emergency ambulance service personnel and does not provide for licensure or certification of emergency medical responders. This measure aligns the State's existing laws for licensure of emergency medical technicians with the National Registry of Emergency Medical Technicians.

Your Committee has amended this measure by:

- (1) Requiring the Department of Commerce and Consumer Affairs to examine the possibility of the creation of an additional licensure category for emergency medical technicians who have received certification from the National Registry of Emergency Medical Technicians at a higher level of practice than emergency medical responders but who do not provide emergency ambulance services;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1340, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1340, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1051 Culture, Arts, & International Affairs on S.B. No. 697

The purpose of this measure is to designate January of each year as "Kalaupapa Month" to serve as an annual reminder of the importance of Kalaupapa and the significant sacrifices and contributions of its residents throughout the State's history.

Your Committee received testimony in support of this measure from the Department of Health, Ka 'Ohana O Kalaupapa, IDEA Center for the Voices of Humanity, The Friends of Iolani Palace, Historic Hawai'i Foundation, Roman Catholic Church in the State of Hawaii Diocese of Honolulu, eleven individuals, and a letter signed by five individuals.

Your Committee finds that in 1865, the Kingdom of Hawaii passed "An Act to Prevent the Spread of Leprosy" and, over time, forcibly removed an estimated eight thousand individuals suspected of having leprosy to a colony established on eight hundred acres of land on the Kalaupapa peninsula of Moloka'i. Your Committee further finds that many important events in the history of Kalaupapa occurred in January: the first twelve inhabitants of the Kalaupapa colony arrived on January 6, 1866; the last of the original inhabitants of Kalaupapa were evicted in January of 1895; Jozef De Veuster, also known as Father Damien and canonized by the Catholic Church as Saint Damien of Moloka'i in recognition of his work in ministering to the people of Kalaupapa, was born on January 3, 1840; and Barbara Koob, known today as Saint Marianne, who worked tirelessly for thirty years in Kalaupapa as the supervisor of the Bishop Home for Single Women and Girls, was born on January 23, 1838. This measure recognizes the contributions and sacrifices of the residents of Kalaupapa by establishing January of each year as "Kalaupapa Month".

Your Committee has amended this measure by:

- (1) Amending the preamble to more accurately reflect the contributions and history of the residents of Kalaupapa; and
- (2) 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 Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 697, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 697, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 1052 Culture, Arts, & International Affairs on S.B. No. 537

The purpose of this measure is to recognize American Sign Language as a fully developed, autonomous, natural language with its own grammar, syntax, vocabulary, and cultural heritage.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board, Hawai'i Civil Rights Commission, and two individuals.

Your Committee finds that American Sign Language is the primary language for many individuals who are deaf or hard of hearing. Your Committee further finds that although the State recognizes American Sign Language as a world language for public school language requirement purposes, further steps are needed to advance the understanding and acknowledgment that American Sign Language is a unique language and not merely signed English.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee

is in accord with the intent and purpose of S.B. No. 537 and recommends that it pass Second Reading and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1053 Culture, Arts, & International Affairs on S.B. No. 1023

The purpose of this measure is to allocate fixed amounts of transient accommodations tax revenues to provide funding for the Bernice Pauahi Bishop Museum and Iolani Palace.

Your Committee received testimony in support of this measure from the Museum Studies Graduate Certificate Program at the University of Hawai'i at Mānoa; Kanaeokana; Bishop Museum; Iolani Palace; Council for Native Hawaiian Advancement; 'Aha Pūnana Leo; Kamehameha Schools; Hawai'i Appleseed Center for Law and Economic Justice; Papa Ola Lokahi; The Queen's Health Systems; Kua'āina Ulu 'Auamo; The Institute for Native Pacific Education and Culture; Aloha State Services, Ltd.; Oahu Economic Development Board; The Friends of Iolani Palace; Friends of Amy B.H. Greenwell Ethnobotanical Garden; Historic Hawai'i Foundation; Society for Hawaiian Archaeology; and fourteen individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Land and Natural Resources.

Your Committee finds that Bishop Museum curates millions of objects and artifacts of Native Hawaiian, Pacific Islander, and Hawaii immigrant culture and history; provides programs that offer scientific, cultural, and educational lessons to thousands of school children each year; and supports economic development and tourism. Your Committee also finds that Iolani Palace, as the only royal palace in the United States, is both an important historical building as well as a tourism venue. Your Committee recognizes that the economic impacts caused to the State by the COVID-19 pandemic, including a decrease in tourism and restrictions on public gatherings, have resulted in a substantial loss of revenue to Bishop Museum and Iolani Palace. The allocation of transient accommodations tax revenues proposed by this measure ensures the continued operation of Bishop Museum and Iolani Palace and supports both institutions' roles in Hawai'i's culture.

Your Committee has amended this measure by changing the fixed allocations of transient accommodations tax revenues to the Bishop Museum and Iolani Palace to unspecified amounts.

Should your Committee on Judiciary & Hawaiian Affairs deliberate on this measure, your Committee respectfully requests that it consider allocating \$750,000 to Iolani Palace and \$1,500,000 to the Bernice Pauahi Bishop Museum.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1023, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1023, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1054 Culture, Arts, & International Affairs on S.B. No. 939

The purpose of this measure is to establish June 19 of each year as Juneteenth Day.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Common Cause Hawaii, LGBT Caucus of the Democratic Party of Hawaii, Planned Parenthood Votes Northwest and Hawaii, Young Progressives Demanding Action, Community Alliance on Prisons, Popolo Project, Our Space, Association of Hawaiian Civic Clubs, Rainbow Family 808, and fifteen individuals.

Your Committee finds that although slavery was officially outlawed when the Emancipation Proclamation became effective on January 1, 1863, slavery in Texas did not actually end until June 19, 1865, when Major General Gordon Granger arrived in Galveston and announced the end of slavery and the Civil War. Your Committee further finds that Hawaii is one of only three states that do not recognize Juneteenth as a state holiday or a day of special observance. This measure recognizes the history and legacy of slavery in the United States and the many contributions made to the United States by African Americans through the establishment of Juneteenth as a day of special observation.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 939 and recommends that it pass Second Reading and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1055 Culture, Arts, & International Affairs on S.B. No. 83

The purpose of this measure is to establish November 28 of each year as Lā Kū'oko'a, Hawaiian Recognition Day.

Your Committee received testimony in support of this measure from the Association of Hawaiian Civic Clubs, LGBT Caucus of the Democratic Party of Hawaii, and three individuals.

Your Committee finds that every state in the nation celebrates a day that is unique to that state's history. For example, Utah celebrates Pioneer Day in recognition of the day Brigham Young ventured into its territory, and Texas celebrates Texas Independence Day, honoring Texas' independence from Mexico's central government. Your Committee further finds that Lā Kū'oko'a, a day recognizing the Kingdom of Hawaii's entrance into the family of nations, was first celebrated under King Kamehameha III in 1847 and remained a national holiday through the early years of the Territory of Hawaii. This measure recognizes the history of Hawaii as an international power in the Pacific through the creation of a special day of observance.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 83, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1056 Pandemic & Disaster Preparedness/Health, Human Services, & Homelessness on S.B. No. 970

The purpose of this measure is to authorize the establishment of a physician-patient relationship via a telehealth appointment if the physician is licensed in the State.

Your Committees received testimony in support of this measure from the Hawaii Medical Board, John A. Burns School of Medicine of the University of Hawai'i, AARP Hawai'i, Hawaii Substance Abuse Coalition, Kaiser Permanente, Aloha Nursing Rehab Centre, Planned Parenthood Votes Northwest and Hawaii, The Queen's Health Systems, Hawai'i Public Health Association, Hawaii Medical Association, Hawai'i Public Health Institute, Hawai'i Pacific Health, Hawaii Healthcare Association of Hawaii, and four individuals.

Your Committees find that the coronavirus disease 2019 pandemic drastically changed how health care providers care for their patients. As a result of the pandemic, the State has seen an increase in the use of telehealth services, which provides a safe and easy way for patients to continue seeing their health care providers. However, existing law remains unclear on whether a patient may use telehealth to establish a physician-patient relationship. Your Committees believe that having the flexibility to establish a physician-patient relationship through telehealth will increase access to care for residents in the State.

Your Committees have amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Pandemic & Disaster Preparedness and Health, Human Services, & Homelessness that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 970, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 970, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Pandemic & Disaster Preparedness: Ayes, 8. Noes, none. Excused, 1 (Woodson).

Health, Human Services, & Homelessness: Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1057 Pandemic & Disaster Preparedness/Health, Human Services, & Homelessness on S.B. No. 192

The purpose of this measure is to authorize the Department of Human Services to administer and provide public assistance during a state of emergency.

Your Committees received testimony in support of this measure from the Hawai'i Primary Care Association and two individuals. Your Committees received comments on this measure from the Department of Human Services.

Your Committees find that the coronavirus disease 2019 (COVID-19) pandemic has severely threatened the health and welfare of the State's residents, especially the underprivileged and rural communities. Your Committees believe that during the COVID-19 pandemic, and similar emergency-caused economic hardships that may occur in the future, the State should be helping the most vulnerable communities so that they may recover from any economic hardship as a result of a governor-declared state of emergency.

Your Committees note the benefit assistance provided by this measure may potentially disqualify individuals from other types of federal benefits programs with income limitation requirements, such as the Supplemental Nutrition Assistance Program.

Your Committees have amended this measure by changing the effective date to July 1, 2060, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Pandemic & Disaster Preparedness and Health, Human Services, & Homelessness that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 192, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 192, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chairs on behalf of the Committees.

Pandemic & Disaster Preparedness: Ayes, 8. Noes, none. Excused, 1 (Woodson).

Health, Human Services, & Homelessness: Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1058 Consumer Protection & Commerce on S.B. No. 513

The purpose of this measure is to promote compliance with the Fireworks Control Law by:

- (1) Increasing the permit and fine amounts and raising the grade of offense for certain violations of the Fireworks Control Law;
- (2) Specifying that certain violations with respect to each aerial device, display firework, and article pyrotechnic constitutes a separate violation;
- (3) Requiring the Attorney General to convene an Explosion Detection Technology Working Group to study the feasibility of purchasing and deploying explosion detection technology in certain counties;
- (4) Authorizing the Sheriff Division of the Department of Public Safety to enforce the Fireworks Control Law; and
- (5) Requiring the Department of Public Safety to develop and implement a statewide web-based fireworks reporting tool.

Your Committee received testimony in support of this measure from the Hawaii State Fire Council, Hawaiian Humane Society, and one individual.

Your Committee finds that the enforcement of the Fireworks Control Law is wanting. Your Committee further finds that enforcement is necessary to protect property from avoidable fire damage; protect persons from fire and explosion-related injuries; minimize respiratory distress caused by the air pollution; and avoid retraumatizing persons who may be adversely impacted by loud explosions.

To promote compliance with the Fireworks Control Law, your Committee finds that increasing the penalties under the Fireworks Control Law and facilitate reporting through web-based tools, as proposed by this measure, may help meet this objective.

Your Committee further finds that H.B. No. 1245, H.D. 2 (Regular Session of 2021), which was previously heard by your Committee and passed by the House, is another approach to promote compliance with the Fireworks Control Law by establishing an expeditious adjudication system, similar to the adjudication system for processing traffic infractions. Such a system would allow the Judiciary to expeditiously process violations of the Fireworks Control Law and reserve its resources for cases that require more attention.

Your Committee has amended this measure by:

- (1) Adding the contents of H.B. No. 1245, H.D. 2 to this measure; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 513, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 513, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 1059 Consumer Protection & Commerce on S.B. No. 1100

The purpose of this measure is to adopt the National Association of Insurance Commissioners' Insurance Data Security Model Law to establish insurance data security standards for insurance licensees.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs. Your Committee received comments on this measure from the American Council of Life Insurers.

Your Committee finds that there have been several major data breaches involving large insurers that exposed and compromised the sensitive personal information of millions of insurance consumers. As a result of these breaches, state insurance regulators made the reevaluation of the regulations around cybersecurity and consumer data protection a top priority. After almost two months of extensive deliberations, the National Association of Insurance Commissioners adopted the Insurance Data Security Model Law, which provides state insurance regulators with the tools they need to better protect sensitive consumer information.

Your Committee has amended this measure by:

- (1) Extending the implementation date for certain provisions as applied to risk retention groups chartered and licensed in this State by one additional year; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1100, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1100, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 1060 Consumer Protection & Commerce on S.B. No. 1342

The purpose of this measure is to include engaging in hosting activities that advance gambling activity on real property under the offense of promoting gambling in the first degree.

Your Committee received comments on this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that illegal gambling presents a serious risk to public safety and welfare. Your Committee further finds that real property owners, managers, or others who receive or entertain other persons with the intent of advancing gambling activity on real property should be subject to heightened penalties.

Your Committee has amended this measure by:

- (1) Specifying that engaging in activities in which a person receives or entertains other persons as guests with the intent of advancing gambling activity on real property is included in the offense of promoting gambling in the first degree, rather than engaging in hosting activities that advance gambling activity on real property; and
- (2) Changing the effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1342, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1342, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 1061 Government Reform on S.B. No. 400

The purpose of this measure is to clarify that heightened fines may be assessed to a candidate committee or noncandidate committee if the candidate committee or noncandidate committee fails to timely file the preliminary primary report or preliminary general report that is due ten calendar days before a primary or general election.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, League of Women Voters of Hawaii, and seven individuals.

Your Committee finds that this measure will improve the timely filing of reports by candidate committees and noncandidate committees to the Campaign Spending Commission, which is necessary for transparency and accountability in the election system.

Your Committee has amended this measure by:

- (1) Changing the number of calendar days that a candidate committee or noncandidate committee must file its preliminary primary report or preliminary general report to the Campaign Spending Commission before a primary or general election to an unspecified number of calendar days;
- (2) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Judiciary & Hawaiian Affairs, should it deliberate on this measure, to look at whether requiring a candidate committee or noncandidate committee to file its preliminary primary or preliminary general report to the Campaign Spending Commission ten days before a primary or general election is too aggressive and as such may not be practical.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 400, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 400, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 1062 Government Reform on S.B. No. 550

The purpose of this measure is to allow an individual who is seventeen years of age but will be eighteen years of age on or before the next state or local

general election to register and vote at the state or local primary election immediately preceding that state or local general election and at any co-occurring or intervening special election.

Your Committee received testimony in support of this measure from Young Progressives Demanding Action, Ke One O Kāhuhīhewa, Association of Hawaiian Civic Clubs, and one individual. Your Committee received comments on this measure from Common Cause Hawaii and Vote16HI.

Your Committee finds that the age qualification to vote in any federal, state, or local election is eighteen years of age. However, for those individuals whose eighteenth birthday falls between a primary and general elections, the current age restriction effectively prevents them from participating in state and local primary elections. Your Committee believes that granting voting rights to these individuals to participate in the primary elections and any intervening or co-occurring special election immediately preceding the general election, young individuals will have an increased sense of civic participation, which will lead to a greater understanding of, and increased participation in, the democratic process.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Judiciary & Hawaiian Affairs hear this measure, your Committee respectfully requests that it consider allowing an individual who is sixteen years of age but will be eighteen years of age on or before the next state or local general election to register and vote at the primary election and any intervening or co-occurring special election before the general election.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 550, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 550, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 1063 Government Reform on S.B. No. 551

The purpose of this measure is to propose an amendment to the Hawaii State Constitution to allow citizens who are seventeen years of age but will be eighteen years of age on or before the next state or local general election to vote at the state or local primary election immediately preceding the state or local general election by which the citizen will attain the age of eighteen and any intervening or co-occurring special election.

Your Committee received testimony in support of this measure from Young Progressives Demanding Action, Ke One O Kāhuhīhewa, Association of Hawaiian Civic Clubs, and one individual. Your Committee received comments on this measure from Common Cause Hawaii and Vote16HI.

Your Committee finds that the age qualification to vote in any federal, state, or local election is eighteen years of age. However, for those individuals whose eighteenth birthday falls between a primary and general election, the current age restriction effectively prevents them from participating in state and local primary elections. Your Committee believes that providing these individuals with the ability to vote in the primary elections and any intervening or co-occurring special election immediately preceding the general election will give young individuals the opportunity to vote while still in high school, which will encourage greater civic engagement, voter turnout, and voter participation amongst the State's youth.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Judiciary & Hawaiian Affairs hear this measure, your Committee respectfully requests that it consider allowing an individual who is sixteen years of age but will be eighteen years of age on or before the next state or local general election to register and vote at the primary election and any intervening or co-occurring special election before the general election.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 551, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 551, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 1064 Government Reform on S.B. No. 560

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

Your Committee received testimony in support of this measure from Common Cause Hawaii, FairVote Action, Young Progressives Demanding Action, Green Party of Hawai'i, Americans for Democratic Action, and fourteen individuals.

Your Committee finds that ranked choice voting is a method of voting that allows voters to rank their choice of candidates based on preference from favorite to least favorite. Your Committee believes that implementing ranked choice voting in special elections for federal and county council offices may demonstrate that this method of voting can ensure fairer, more efficient, and more diverse elections.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (2) 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 Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 560, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 560, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, 1 (Ward). Excused, 2 (Eli, Ichiyama).

SCRep. 1065 Government Reform on S.B. No. 597

The purpose of this measure is to allow candidates seeking election to use campaign funds for child care and vital household dependent care costs under

certain conditions.

Your Committee received testimony in support of this measure from Common Cause Hawaii, Young Progressives Demanding Action, American Association of University Women of Hawaii, and six individuals. Your Committee received comments on this measure from the Campaign Spending Commission.

Your Committee finds that parenthood and care for one's dependents should not be barriers to running for political office. This measure will reduce the cost barrier for running a campaign for political office by allowing candidates more flexibility in the use of their campaign funds.

Your Committee has amended this measure by:

- (1) Adding a definition for "vital household dependent care"; and
- (2) 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 Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 597, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 597, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 1066 Government Reform on S.B. No. 1395

The purpose of this measure is to:

- (1) Require the Governor to appoint an individual to fill a vacancy within all boards and commissions within one hundred eighty days of the expiration of a member's term;
- (2) Specify that holdover appointments are limited to one hundred eighty days, after which time a vacancy is created on the board or commission;
- (3) Require department heads to inform the Governor of any vacancy on any board or commission; and
- (4) Require an outgoing Governor to provide the Governor-elect with an up-to-date list of information about boards and commissions.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Human Services and Department of Transportation.

Your Committee finds that state boards and commission allow for a cross-section of Hawaii's residents to offer vital input and the ability to influence decisions that shape the quality of life for residents of the State. Your Committee further finds that the Governor nominates and appoints more than one hundred seventy board and commission positions. The vast number of nominations and appointments that the Governor oversees may cause a delay in filling any vacancies to a state board or commission, which could negatively impact the board's or commission's ability to conduct its business. Your Committee believes that the appropriate and timely nominations and appointments of members of boards and commissions will enable boards and commissions to meet and conduct their business with minimal delay.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Judiciary & Hawaiian Affairs hear this measure, your Committee respectfully requests that it consider the concerns raised in testimony by the Department of Human Services regarding the vital role that holdover members have on a board's or commission's ability to conduct business or make decisions, as there may not be an available and ready supply of qualified candidates to fill board and commission vacancies.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1395, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1395, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 1067 Government Reform on S.B. No. 82

The purpose of this measure is to:

- (1) Require each new member of a board or commission to participate in an orientation and training session with the head of the department with jurisdiction of that member's board or commission or a designee of the head of the department; and
- (2) Require each department and agency to update their members on information to supplement their initial training at least once per calendar year.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Human Services, Department of Land and Natural Resources, Department of Accounting and General Services, Department of Agriculture, Executive Office on Early Learning, and Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees.

Your Committee finds that newly appointed members to a board or commission have the qualifications needed to be appointed but may need additional formal education to understand their new responsibilities. Your Committee believes that the additional training proposed by this measure would aid new members of a board or commission in executing their duties.

Your Committee has amended this measure by changing the effective date to July 1, 2112, to encourage further discussion.

Should your Committees on Consumer Protection & Commerce and Finance hear this measure, your Committee respectfully requests that they consider the concerns raised by the Department of Commerce and Consumer Affairs in its testimony requesting training that is appropriate for any board or commission member, rather than specifically relevant to the work of the board or commission on which the member sits, adequate funding, an additional position, and additional time for the Department to implement the trainings.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 82, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 82, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 1068 Government Reform on S.B. No. 789

The purpose of this measure is to:

- (1) Authorize a special procurement process to address new or unique state requirements or to procure new technologies or public-private partnerships;
- (2) Require the Procurement Policy Board to establish rules by December 31, 2021, for the special procurement process; and
- (3) Require the head of a purchasing agency to:
 - (A) Prepare a procurement plan and submit the plan to the Attorney General or Corporation Counsel for review; and
 - (B) Electronically post all contracts awarded through the special procurement process, with each award posted within seven days of its contract award and for at least one year.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received comments on this measure from the Department of Accounting and General Services and State Procurement Office.

Your Committee finds that employing new and innovative ways of maintaining and improving state services and infrastructure while ensuring the prudent and cost-effective expenditure of public monies are important, particularly during economically challenging times. Your Committee further finds that providing the State with greater flexibility when procuring certain goods and services will allow the State to address unique situations in an appropriate and timely manner.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 789, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 1069 Government Reform on S.B. No. 1391

The purpose of this measure is to authorize the Procurement Policy Board to adopt and, as necessary, amend specific rules that require the consideration of life-cycle costs in all state procurements on or before December 31, 2021.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office and two individuals. Your Committee received testimony in opposition to this measure from the Department of Transportation. Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that although existing law encourages the consideration of ongoing life-cycle costs to promote energy efficiency, it neither requires nor effectively provides for full and effective accounting and consideration of life-cycle costs in procurement practices and procedures. Your Committee further finds that consideration of life-cycle costs in the procurement of goods, services, and construction is critical to ensure the sound economic management of the State's financial resources.

Your Committee has amended this measure by:

- (1) Removing the deadline date of December 31, 2021, for when the Procurement Policy Board may adopt and amend rules that require the consideration of life-cycle costs in all state procurements;
- (2) Changing its effective date to July 1, 2112, to encourage further discussion; 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 Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1391, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1391, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 1070 Government Reform on S.B. No. 167

The purpose of this measure is to improve the quality of life in the State by:

- (1) Establishing objectives, policies, and priority guidelines for state facility systems in the Hawaii State Planning Act to achieve the use of green infrastructure, vegetation, and trees in state facility systems, infrastructure, and transit projects; and
- (2) Requiring the Office of Planning, in partnership with the Greenhouse Gas Sequestration Task Force, to make recommendations to the Legislature for implementing green infrastructure objectives, policies, and priority guidelines.

Your Committee received testimony in support of this measure from the Department of Health, Department of Land and Natural Resources, Office of Hawaiian Affairs, Office of Planning, Americans for Democratic Action, 350Hawaii.org, Trees for Honolulu's Future, Climate Protectors Hawaii, and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the effects of climate change have made implementing sustainable design concepts more critical, with each passing year seeing an increase in temperatures and other impacts from climate change. Your Committee further finds that the State is committed to upholding the Paris Climate Accord and moving toward a zero emissions clean economy by 2045, which will require the State to actively invest in reducing emissions and greenhouse gases. Your Committee believes that establishing green infrastructure objectives, policies, and guidelines for state projects will increase the quality of life for residents and visitors, provide critical ecosystem services for the State, and demonstrate the State's commitment toward a zero emissions clean economy by 2045.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 167, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 167, S.D. 1, H.D. 1, and be referred to your Committee on Energy & Environmental Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 1071 Transportation/Housing on S.B. No. 140

The purpose of this measure is to:

- (1) Require the Hawaii Community Development Authority to establish a Transit-oriented Development Zone Improvement Program to foster community development by strategically investing in public facilities;
- (2) Expand the composition and organization of the Hawaii Community Development Authority to include matters affecting transit-oriented development zones and the creation of these zones; and
- (3) Appropriate funds for a full-time equivalent temporary position in the Hawaii Community Development Authority to develop and manage the Transit-oriented Development Zone Improvement Program.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources and Hawaii Community Development Authority. Your Committees received comments on this measure from the Office of Planning.

Your Committees find that transit-oriented development is a powerful tool that can ultimately deliver a wide range of social, environmental, and economic benefits. The State has an important role in overcoming barriers to transit-oriented development, including encouraging needed investment in regional public facilities. Coordinated infrastructure financing and delivery are necessary to facilitate public and private development and investment in areas designated for transit-oriented development in the State. Your Committees further find that state coordination and collaboration with the counties and public utilities on the delivery of needed infrastructure improvements are vital to implementing state transit-oriented projects and providing affordable housing in transit-oriented-designated areas in each of the counties.

Your Committees have amended this measure by:

- (1) Establishing the transit-oriented development zones program as a new part in chapter 206E, Hawaii Revised Statutes, rather than including it with the existing district-wide improvement program, including the responsibilities of the Hawaii Community Development Authority in administering the program;
- (2) Amending the definition of "transit-oriented development zone" and further specifying that a "transit-oriented development zone" includes all parcels of land for which any portion of said parcels are located within that one-half mile radius of a proposed or existing transit station;
- (3) Making a conforming amendment to include the Director of the Office of Planning and Executive Director of the Hawaii Housing Finance and Development Corporation on the Hawaii Community Development Authority;
- (4) Replacing the Director of Transportation with the Executive Director of the Hawaii Housing Finance and Development Corporation as a voting member for matters affecting transit-oriented development zones;
- (5) Deleting language that would have prohibited transit-oriented development zones from being established on lands administered by the Hawaii Public Housing Authority, Stadium Authority, or any community development district;
- (6) Deleting the appropriation for one full-time equivalent (1.00 FTE) temporary position in the Hawaii Community Development Authority;
- (7) Amending the purpose section; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Transportation and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 140, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 140, S.D. 2, H.D. 1, and be referred to your Committee on Water & Land.

Signed by the Chairs on behalf of the Committees.
Transportation: Ayes, 6. Noes, none. Excused, 2 (Hashimoto, Takumi).
Housing: Ayes, 6. Noes, none. Excused, 2 (Hashimoto, Takumi).

SCRep. 1072 Energy & Environmental Protection on S.B. No. 756

The purpose of this measure is to:

- (1) Authorize each county to adopt ordinances to enforce state laws relating to the designation of parking spaces for electric vehicles, including the establishment of penalties;
- (2) Clarify that certain enforcement officers may enter private property to enforce electric vehicle parking space requirements;
- (3) Require new electric vehicle charging systems installed pursuant to the electric vehicle charging system requirement to be at least Level 2 and network capable; and
- (4) Change electric vehicle charging equipped parking requirements per one hundred stalls from one stall by 2012 to five stalls by 2025 and ten stalls by 2030.

Your Committee received testimony in support of this measure from the Department of Transportation; Hawaii State Energy Office; Office of Climate Change, Sustainability and Resiliency for the City and County of Honolulu; Life of the Land; We Are One, Inc.; Blue Planet Foundation; Tesla, Inc.; Ulupono Initiative; Our Revolution Hawaii; Kauai Climate Action Coalition; 350Hawaii.org; Climate Protectors Hawaii; Hawaii Electric Vehicle Association; Big Island Electric Vehicle Association; Environmental Caucus of the Democratic Party of Hawai'i; Hawaiian Electric Company; Clean the Pacific; and numerous individuals. Your Committee received testimony in opposition to this measure from the Building Owners and Managers Association of Hawaii, Retail Merchants of Hawaii, and Chamber of Commerce Hawaii. Your Committee received comments on this measure from the Department of Design and Construction for the City and County of Honolulu.

Your Committee finds that zero-emission vehicles, such as electric vehicles, play an integral role in Hawaii's clean energy future. With the continued growth of electric vehicle adoption by consumers, this measure ensures the availability of the necessary infrastructure to support electric vehicle use.

Your Committee notes the need to further consider adding flood zone exemptions in this measure and believes this issue merits further discussion by your Committee on Consumer Protection & Commerce.

Your Committee has amended this measure by:

- (1) Restoring language that requires at least one parking space for electric vehicles for places of public accommodations with at least one hundred parking spaces;
- (2) Deleting language that would have changed the electric vehicle charging equipped parking requirements per one hundred stalls to ten stalls by 2030;
- (3) Making the requirement that new electric vehicle charging systems be at least Level 2 and network capable effective on January 1, 2022;
- (4) Inserting language that establishes a subaccount in the Public Utilities Commission Special Fund for the purposes of the Electric Vehicle Charging System Rebate Program and reallocates a portion of the Environmental Response, Energy, and Food Security Tax to be deposited into the subaccount;
- (5) Inserting language that appropriates \$300,000 out of the Energy Security Special Fund for fiscal year 2021-2022 to be deposited into the electric vehicle charging system subaccount within the Public Utilities Commission Special Fund;
- (6) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (7) 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 756, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 756, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1073 Energy & Environmental Protection on S.B. No. 934

The purpose of this measure is to exempt hydrogen fuels from petroleum product measurement requirements.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Hawaii Food Industry Association, Hawai'i Gas, Ulupono Initiative, Servco Pacific Inc., Alliance for Automotive Innovation, Blue Planet Foundation, and one individual. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that hydrogen, as a renewable fuel, offers great promise for Hawaii. Your Committee further finds that the existing measurement standards law implies that hydrogen must be sold on the basis of volume, yet the State currently does not have a means to measure and certify hydrogen dispensers. This measure will assist the State in utilizing another form of renewable fuel by explicitly exempting hydrogen from measurement standards relating to petroleum products.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 934, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 934, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Todd, Tokioka).

SCRep. 1074 Energy & Environmental Protection on S.B. No. 932

The purpose of this measure is to:

- (1) Establish the Clean Energy and Energy Efficiency Revolving Loan Fund;
- (2) Repeal the Building Energy Efficiency Revolving Loan Fund;
- (3) Authorize monies in the Green Infrastructure Special Fund to be used to finance the option to purchase solar energy systems and other clean energy equipment, including the purchase or lease of electric vehicles; and
- (4) Appropriate funds out of the Clean Energy and Energy Efficiency Revolving Loan Fund.

Your Committee received testimony in support of this measure from the Hawaii Green Infrastructure Authority, Hawaii State Energy Office, Office of Economic Development of the County of Kaua'i, Climate Protectors Hawaii, Blue Planet Foundation, Hawaii Solar Energy Association, Land Use Research Foundation of Hawaii, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance; Department of Commerce and Consumer Affairs; Public Utilities Commission; and Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu.

Your Committee finds that significant investment in clean energy technology and infrastructure will be required to achieve the State's goals of energy self-sufficiency, energy security, and energy diversification. This measure provides the Hawaii Green Infrastructure Authority with a variety of financing options to support investment in and implementation of clean energy technology and infrastructure in the State.

Your Committee has amended this measure by 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 932, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 932, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Todd).

SCRep. 1075 Energy & Environmental Protection on S.B. No. 920

The purpose of this measure is to establish clean ground transportation goals for state agencies to achieve a one hundred percent light-duty motor vehicle

zero-emission fleet by December 31, 2030.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii State Energy Office, Hawaii Electric Vehicle Association, Sustainable Energy Hawai'i, Sierra Club of Hawai'i, Ulu pono Initiative, Kauai Climate Action Coalition, Kauai Electric Vehicle Association, Climate Protectors Hawaii, 350Hawaii.org, Blue Planet Foundation, Hawaii Automobile Dealers' Association, Hawaiian Electric Company, Big Island Electric Vehicle Association, Alliance for Automotive Innovation, and four individuals. Your Committee received comments on this measure from the State Procurement Office and Pacific Biodiesel Technologies.

Your Committee finds that it is vital that the State begin transitioning away from imported fossil fuel-powered ground transportation and toward cleaner and more efficient transportation systems powered by renewable, local energy sources. This measure ensures that the State is progressing toward its goal of one hundred percent clean energy ground transportation by facilitating the transition toward the use of electric vehicles, which are less expensive to operate on a per-mile basis than their gas-powered counterparts.

Your Committee has amended this measure by:

- (1) Deleting language that would have codified the State's clean ground transportation goal under chapter 105, Hawaii Revised Statutes;
- (2) Inserting language that requires all agencies purchasing or leasing medium- and heavy-duty motor vehicles to seek vehicles that reduce dependence on petroleum-based fuels that meet the needs of the agency and adding procurement priorities for selecting vehicles;
- (3) Clarifying provisions relating to the State's climate change mitigation goal to reduce emissions that cause climate change and build energy efficiencies across all sectors;
- (4) Inserting language that requires the Department of Transportation, in collaboration with the Hawaii State Energy Office, to develop strategies to transition all light-duty motor vehicles in the State to meet the State's clean ground transportation goal;
- (5) Clarifying provisions relating to the procurement policy for light-duty motor vehicles, including modernizing the procurement priorities for the purchasing or leasing of new vehicles;
- (6) Updating and adding various definitions under section 103D-412, Hawaii Revised Statutes, to align with federal regulations;
- (7) Inserting language to specify that vehicles acquired from another state agency and exempt from section 103D-412, Hawaii Revised Statutes, shall be included in the calculation of the State's clean ground transportation goals;
- (8) Specifying that all agencies, in their energy efficiency and environmental standards regarding motor vehicles and transportation fuel, promote efficient planning of charging station locations and efficient utilization of renewable energy for charging electric vehicles;
- (9) Expand data collection requirements by agencies regarding the life of each vehicle acquired to include hourly charging data by electric vehicle and electric vehicle charger;
- (10) Inserting language that establishes the State's clean ground transportation goals for its light-duty passenger cars and light-duty motor vehicles to be one hundred percent zero emission vehicles by December 31, 2030, and December 31, 2035, respectively;
- (11) Inserting language that directs the Department of Accounting and General Services to approve state fleet acquisitions that meet certain requirements, including zero emission vehicle requirements for light-duty passenger cars and light-duty multipurpose passenger vehicles and trucks, and authorizes the Department to allow certain exemptions;
- (12) Inserting language that requires state and county agencies to purchase building materials for the project that reduce the carbon footprint of the project whenever feasible and cost-effective; and
- (13) 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 920, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 920, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Todd).

SCRep. 1076 Agriculture on S.B. No. 219

The purpose of this measure is to impose extended terms of imprisonment and mandatory minimum terms of imprisonment for certain offenses against property rights committed while negligently on agricultural land.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; Ulu pono Initiative; and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that agricultural crime persists in Hawaii despite various efforts to combat the problem. This measure imposes extended terms of imprisonment and mandatory minimum terms of imprisonment in an attempt to deter potential offenders. However, your Committee discussed the concern that the mandatory minimum terms of imprisonment may not serve as a sufficient deterrent to the types of crimes subject to this measure.

Accordingly, your Committee has amended this measure by:

- (1) Removing the mandatory minimum terms of imprisonment proposed in this measure;
- (2) Removing the requirement that a person be negligently on agricultural land in order to be subject to this measure and instead creating a rebuttable presumption that the person has committed an offense against property rights when on agricultural land; 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 219, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 219, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1077 Agriculture on S.B. No. 496

The purpose of this measure is to reduce the State's reliance on imported produce by:

- (1) Establishing within the Department of Agriculture a task force to identify the top ten imported fruits and vegetables that may be commercially grown by farmers in Hawaii; and
- (2) Creating an agricultural import replacement tax credit to incentivize local production of these fruits and vegetables.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau, Ulupono Initiative, Hawaii Food Industry Association, Climate Protectors Hawaii, Environmental Caucus of the Democratic Party of Hawai'i, Energy Research Systems, and five individuals. Your Committee received comments on this measure from the Department of Taxation, Department of Agriculture, Department of Budget and Finance, and Tax Foundation of Hawaii.

Your Committee finds that increasing local food production in Hawaii strengthens food self-sufficiency and security, keeps more money in the local economy, and protects the State's environment.

Your Committee has amended this measure by:

- (1) Removing the task force and instead amending Act 151, Session Laws of Hawaii 2019, to require the Department of Agriculture, in cooperation with the Office of the Governor, to identify the top ten fruit and vegetable imports to the State that may be commercially grown by farmers in Hawaii and make recommendations on increasing production of those fruits and vegetables;
- (2) Removing the agricultural import replacement tax credit; 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 496, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 496, S.D. 2, H.D. 1, and be referred to your Committee on Economic Development.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1078 Government Reform on S.B. No. 246

The purpose of this measure is to establish the State Government Realignment Commission to review the executive branch's departments, divisions, and agencies, including functions and services, and to submit its findings and recommendations to the Legislature.

Your Committee received comments on this measure from the Department of Accounting and General Services and Department of Budget and Finance.

Your Committee finds that there is a need to modernize state government to reflect the current generation of Hawaii residents and provide effective and efficient governing at all levels. Your Committee further finds that the establishment of the State Government Realignment Commission, as proposed by this measure, will increase government transparency and improve government efficiency.

Your Committee also finds that requiring the State Government Realignment Commission to report to the Legislature three years after its appointment will not allow the executive branch enough time to implement its recommendations. As such, amendments to this measure are necessary to require the report to be issued in two years instead of three to give the executive branch time to implement the State Government Realignment Commission's recommendations during the current administration.

Your Committee has amended this measure accordingly by:

- (1) Changing when the State Government Realignment Commission must submit its findings and recommendations to the Legislature to thirty days prior to the convening of the second Regular Session after the appointment of the members;
- (2) Changing the effective date to July 1, 2112, to encourage further discussion; 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 Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 246, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 246, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 1079 Government Reform on S.B. No. 610

The purpose of this measure is to prohibit a public member of any board or commission under the Department of Commerce and Consumer Affairs' purview from:

- (1) Being engaged in the occupation that the board or commission regulates;
- (2) Being associated with a member of the occupation that the board or commission regulates that results in a material conflict of interest, an appearance of impropriety, or a reasonable suspicion that the public member does not represent the public interest; or
- (3) Having a direct financial interest in the regulated occupation.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Hawaii State Ethics Commission.

Your Committee finds that public members of a board or commission should strictly represent the public interest and should be prohibited from being engaged in or having a direct financial interest in the occupation that the board or commission member regulates.

Your Committee further finds that clarity is needed in the definition of the term "material conflict of interest", as professions may define that term differently. Due to testimony received by the Department of Commerce and Consumer Affairs as to the enforceability of the term "material conflict of interest", your Committee consulted with numerous legal sources to refine the definition.

Accordingly, your Committee has amended this measure by:

- (1) Defining the term "material conflict of interest" to mean a conflict of interest that has the potential to:

- (A) Influence a member's decision or conduct; or
- (B) Have a non-trivial impact on the financial situation of a person or an entity in which the member or immediate family member of the member has a significant financial interest;
- (2) Changing its effective date to July 1, 2112, to encourage further discussion; 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 Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 610, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 610, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 1080 Government Reform on S.B. No. 788

The purpose of this measure is to amend the State Procurement Code to increase economy, efficiency, effectiveness, and impartiality in public procurement by:

- (1) Allowing selection committees for the procurement of professional services the flexibility to weigh the selection criteria in the order of importance relevant to their agency and project;
- (2) Requiring the State Procurement Office to develop a vendor performance information system;
- (3) Providing the head of a purchasing agency with the option to negotiate an adjustment of an otherwise successful bid for construction procurements to more closely align with an internal project price estimation;
- (4) Allowing a bidder of a public works construction project to clarify and correct non-material or technical issues with subcontractor listings for up to twenty-four hours after the bid submission deadline; and
- (5) Requiring bids for construction to be publicly opened no sooner than twenty-four hours after the bid submission deadline.

Your Committee received testimony in opposition to this measure from the Department of Design and Construction of the City and County of Honolulu; Painting Industry of Hawaii Labor Management Cooperation Trust Fund; Hawaii Tapers Market Recovery Trust Fund; Hawaii Glaziers, Architectural Metal Glassworkers Local Union 1889 AFL-CIO Stabilization Trust Fund; Carpet, Linoleum and Soft Tile Local Union 1926 Market Recovery Trust Fund. Your Committee received comments on this measure from the Department of Accounting and General Services; Department of Transportation; State Procurement Office; Subcontractors Association of Hawaii; Plumbing and Mechanical Contractors Association of Hawaii; Plumbers and Fitters UA, Local 675; and General Contractors Association of Hawaii.

Your Committee finds that House Resolution No. 142, Regular Session of 2016 (House Resolution No. 142), requested the State Procurement Office to improve the State's procurement process by reviewing Hawaii's procurement laws in comparison to federal procurement law and consider the efficient and effective ways in which the federal government conducts its procurement process. This measure seeks to amend the State Procurement Code by implementing certain recommendations made by the State Procurement Office's review of Hawaii procurement laws conducted pursuant to House Resolution No. 142.

Your Committee notes the concerns raised on this measure, that it could cause an unforeseen breakdown in the procurement process and dramatically reduce the number of qualified subcontractors from bidding on state projects. As such, your Committee has amended this measure to address the concerns that were raised by the stakeholders during the hearing.

Your Committee has amended this measure by:

- (1) Specifying that a bidder is prohibited from changing the nature and scope of work as listed when clarifying or correcting non-material or technical information after a bid submission;
- (2) Changing its effective date to July 1, 2112, to encourage further discussion; 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 Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 788, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 788, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 1081 Government Reform on S.B. No. 1035

The purpose of this measure is to:

- (1) Establish a State Procurement Automation System Special Fund to fund the project management of the procurement automation system;
- (2) Allow the State Procurement Administrator to establish procedures for issuing the final decision on any procurement practice, procurement policy and procedures, and compliance investigations conducted by the State Procurement Office; and
- (3) Authorize the Administrator to assess and collect an administrative fee to be deposited into the State Procurement Automation System Special Fund to cover the costs of the procurement automation system.

Your Committee received testimony in support of this measure from the Department of Transportation and State Procurement Office. Your Committee received comments on this measure from the Subcontractors Association of Hawaii.

Your Committee finds that a significant and growing number of statewide purchasing offices in other states operate using a self-funded model derived from a small percentage administrative fee included as part of statewide contracts. Your Committee further finds that, based on the State Procurement Office's past contract usage and the funding needed to implement and operate a statewide procurement automation project, the State Procurement Office proposes the implementation of less than a one percent administrative fee, beginning in fiscal year 2021-2022, to be implemented in large statewide cooperative agreements and used to pay for management of the procurement automation system.

Your Committee notes that concerns were raised on this measure because it would allow for the imposition of a fee with no input from affected members and the general public. Your Committee believes that to ensure government transparency, any fee created should be subject to the Hawaii Administrative

Procedure Act before it is implemented.

Your Committee has amended this measure accordingly by:

- (1) Specifying that the assessment and collection of the administrative fee be done in accordance with the Hawaii Administrative Procedure Act;
- (2) Changing the effective date to July 1, 2112, to encourage further discussion; 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 Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1035, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1035, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Ward). Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 1082 Government Reform on S.B. No. 1036

The purpose of this measure is to:

- (1) Amend the selection process and composition of the Procurement Policy Board;
- (2) Require a procurement agency, rather than a procurement officer, to determine whether the amount of a contracting action is fair and reasonable and require the procurement agency to obtain data necessary to perform a cost or price analysis to determine that the amount of the contracting action is fair and reasonable;
- (3) Repeal certain provisions contained in the fair and reasonable pricing policy statute under the State Procurement Code;
- (4) Amend the circumstances for when treatment services may be purchased and the procedure to purchase certain treatment services;
- (5) Increase the small purchase threshold for purchases of health and human services from less than \$25,000 to less than \$100,000;
- (6) Repeal the establishment of the Community Council on Purchase of Health and Human Services;
- (7) Establish a State Payor Committee within the Department of Health to establish and adopt a unified baseline framework for performance metrics, evaluation standards, and coordinated reimbursement rates relating to behavioral health, substance abuse, and homelessness services; and
- (8) Require nongovernmental entities that contract for services relating to behavioral health, substance abuse, and homelessness services to disclose, at the request of any state funding agency, the source of other federal, state, or county level funding received for the purposes of performing any behavioral health, substance abuse, or homelessness services.

Your Committee received testimony in support of this measure from the State Procurement Office. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Domestic Violence Action Center, Catholic Charities Hawai'i, Hawaii Substance Abuse Coalition, and PHOCUSED.

Your Committee finds that this measure is intended to promote procurement efficiency, program success, and government accountability for health and human services procurement. Your Committee additionally finds that the establishment of a State Payor Committee will formalize the multi-sectoral coordination of purchasing services for behavioral health, substance abuse, and homelessness services and help the State realize its goal of creating a comprehensive, coordinated care system for the provision of these services.

Your Committee has amended this measure by:

- (1) Reverting to the existing statutory language for the fair and reasonable pricing policy under the State Procurement Code;
- (2) Establishing a fair and reasonable pricing policy that requires purchasing agencies to:
 - (A) Make a written determination that the amount of a contracting action for purchases of health and human services is fair and reasonable; and
 - (B) Obtain necessary data to perform a cost or price analysis to determine that the amount of the contracting action is a fair and reasonable price; 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 Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1036, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1036, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Ward). Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 1083 Government Reform on S.B. No. 1329

The purpose of this measure is to create time limits to resolve protests to the awards of competitive sealed proposal contracts and procurements of professional services.

Your Committee received testimony in support of this measure from the Associated Builders and Contractors Hawaii Chapter and General Contractors Association of Hawaii. Your Committee received comments on this measure from the Department of Education, Department of Accounting and General Services, Department of Human Services, Department of Transportation, and State Procurement Office.

Your Committee finds that under the State Procurement Code, an aggrieved party that submitted a bid for a state project that was not awarded the bid may protest the bid award. Your Committee further finds that the procurement protest review process can be lengthy and complex, cause project delays, and increase project costs that are borne by taxpayers. Your Committee believes that establishing a deadline for bid protests to be reviewed and resolved will expedite the protest review process and reduce the cost associated with state-awarded projects.

Your Committee has amended this measure by:

- (1) Requiring the Chief Procurement Officer or a designee to address, rather than resolve, any protest as expeditiously as possible;
- (2) Removing language that would have provided an additional thirty calendar days if extenuating circumstances required additional time for the issuance of a written decision to uphold or deny the protest;

- (3) Specifying that if the protest is not resolved by mutual agreement and the Chief Procurement Officer or a designee does not issue a written decision to uphold or deny the protest, the protest shall prevail; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that an ambiguity existed in the S.D. 2 version about what would happen to a protest after the time limit expires. To resolve this issue, your Committee amended the measure to allow said protest to prevail upon expiration of the time limit. While there may be concerns about automatically upholding a bid protest after the time limit for adjudication has expired, your Committee feels that this amendment creates a strong policy incentive for agencies to review and adjudicate protests expeditiously. Your Committee notes that the alternative approach to resolving the ambiguity, allowing the protest to sunset if not acted upon in time, would create a policy disincentive for agencies to expedite the process.

Your Committee respectfully requests your Committee on Consumer Protection & Commerce, should it deliberate on this measure, to further look at and consider the amendment made to this measure by your Committee, which provides that if the protest is not resolved by mutual agreement and the Chief Procurement Officer or a designee does not issue a written decision to uphold or deny the protest, the protest shall prevail.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1329, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1329, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 1084 Government Reform on S.B. No. 913

The purpose of this measure is to promote electronics stewardship and reduce electronic waste in the State by establishing the Electronic Device and Television Donation Act to require all persons who are located in a county with a population greater than seven hundred fifty thousand and receive state funds and state financial assistance to donate unnecessary but functioning electronic devices to nonprofit organizations that will refurbish and distribute the devices to eligible persons in the State.

Your Committee received testimony in support of this measure from the Department of Education and Transform Hawai'i Government. Your Committee received comments on this measure from the Department of Accounting and General Services.

Your Committee finds that the use of electronic devices has grown substantially over the past two decades, which has also led to a considerable amount of waste in consumer electronics goods. Your Committee further finds that although recycling of electronic devices prevents valuable materials from being wasted, preventing waste in the first place is the preferable waste management option. Your Committee notes that access to devices and technology resources for low-income families and other populations in need of access is a long-standing issue and has become more evident with the onset of the COVID-19 pandemic, which required many people in Hawaii to work and learn remotely. This measure will promote electronic stewardship and reduce electronic waste by keeping unnecessary but functioning electronic devices from being wasted and instead refurbishing those electronic devices to be donated to those in need of the devices.

Your Committee has amended this measure by 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 Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 913, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 913, S.D. 2, H.D. 1, and be referred to your Committee on Higher Education & Technology.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 1085 Government Reform on S.B. No. 405

The purpose of this measure is to allow candidates, candidate committees, and noncandidate committees to choose which excess contributions by nonresident contributors to return within thirty days of the end of the election period, after which time all excess contributions shall escheat to the Hawaii Election Campaign Fund.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, League of Women Voters of Hawaii, and eight individuals.

Your Committee finds that the Hawaii Election Campaign Fund was established to be used for partial public financing of campaigns of the State and its political subdivisions. Your Committee further finds that this measure will provide an additional source of income for the Hawaii Election Campaign Fund and allow candidates to more readily use available public financing through the Fund.

Your Committee additionally finds that when the law was changed to allow for unreturned contributions to escheat to the Hawaii Election Campaign Fund, nonresident contributions were not included because the law that limited candidates from receiving thirty percent of a contribution from a nonresident contributor is in a different part of the Hawaii Revised Statutes. Accordingly, your Committee sees this measure as a way to close this unforeseen loophole.

Your Committee has amended this measure by changing the effective date to July 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 405, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 405, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 2 (Eli, Ichiyama).

SCRep. 1086 Culture, Arts, & International Affairs on S.B. No. 1413

The purpose of this measure is to require:

- (1) Official stationery and website of designated state officials to include the Hawaiian translation of the office's or department's name; and
- (2) All letterhead, documents, symbols, and emblems of the State and its political subdivisions that include Hawaiian names and words to include accurate, appropriate, and authentic Hawaiian names, spelling, and punctuation.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawai'i Civil Rights Commission, and four individuals. Your Committee received comments on this measure from two individuals.

Your Committee finds that the Hawai'i State Constitution establishes Hawaiian as one of the two official languages of the State and requires the State to promote the study of Hawaiian culture, history, and language. This measure furthers the study and use of the Hawaiian language through the use of the Hawaiian name of certain state offices and departments on official documents, letterheads, and websites and consistent names, spelling, and punctuation of Hawaiian names and words on state and county letterhead, documents, symbols, and emblems.

Your Committee has amended this measure by:

- (1) Clarifying that the spelling and punctuation of Hawaiian names or words shall be consistent with certain references, rather than accurate, appropriate, authentic, or proper;
- (2) Requiring state highway signs that contain Hawaiian names or words to use Hawaiian names, words, spelling, and punctuation consistent with certain references;
- (3) Clarifying that consistent punctuation includes the use of kahakō and 'okina, rather than macrons and glottal stops, to more accurately reflect the appropriate Hawaiian terminology;
- (4) Clarifying that Hawaiian names or words that differ in spelling or punctuation from the manner established by this measure are inconsistent in spelling and punctuation, not misspelled or incorrectly punctuated;
- (5) Revising the preamble to more appropriately explain its amended purpose;
- (6) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (7) 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 Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1413, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1413, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1087 Health, Human Services, & Homelessness on S.B. No. 628

The purpose of this measure is to:

- (1) Commence the transfer of the Oahu Regional Health Care System in its entirety from the Hawaii Health Systems Corporation to the Department of Health, beginning with the transfer of the Oahu Regional Health Care System's budget into the Department of Health;
- (2) Enable the Oahu Regional Health Care System, Department of Health, Hawaii Health Systems Corporation, and other state agencies to develop and implement the processes and transactions required to effectuate the completion of the transition of the Oahu Regional Health Care System to the Department of Health; and
- (3) Prohibit the planned elimination or reduction of direct patient care services at Leahi Hospital or Maluhia unless certain conditions are met.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Department of Health, Oahu Region Hawaii Health Systems Corporation, and The Queen's Health Systems. Your Committee received comments on this measure from the Department of the Attorney General; State Procurement Office; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that, unlike the other Hawaii Health System Corporation facilities, the Oahu Regional Health Care System care facilities of Leahi Hospital and Maluhia, almost exclusively provide safety-net, long-term care and adult-day health services to patients who are unable to find much-needed care in private facilities. Your Committee further finds that Leahi Hospital and Maluhia provide compassionate care for incarcerated inmates and provide care for psychiatric patients from the Hawaii State Hospital who have significant long-term care needs. The transfer proposed by this measure will ensure continued availability of long-term care beds for the State's aging population and facilitate more efficient use of the facilities at Leahi Hospital and Maluhia.

Your Committee finds that H.B. No. 1282, H.D. 2, a substantially similar measure, was previously passed by the House.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. No. 1282, H.D. 2, a measure that:
 - (A) Commences the transfer of the Oahu Regional Health Care System in its entirety from the Hawaii Health Systems Corporation to the Department of Health, beginning with the transfer of the Oahu Regional Health Care System's budget into the Department of Health;
 - (B) Enables the Oahu Regional Health Care System, Department of Health, Hawaii Health Systems Corporation, and other state agencies to implement the processes and transactions required to effectuate the completion of the transition;
 - (C) Requires the Department of Health to consult with the University of Hawaii regarding services provided at Leahi Hospital and Maluhia, and allow University of Hawaii students to rotate through those facilities for training purposes;
 - (D) Authorizes the Department of Health to pay rent to the University of Hawaii for the use of the Leahi Hospital property at a rate and on terms to be negotiated between the Department of Health and the University of Hawaii;
 - (E) Clarifies the rights, powers, and exemptions held by the Oahu Regional Health Care System during the transition period and the rights, powers, and exemptions held by the Inpatient Services Division of the Department of Health following completion of the transfer;
 - (F) Appropriates monies from the Mental Health and Substance Abuse Special Fund to expand and operate programs at Leahi Hospital and Maluhia that are mutually advantageous to the Department of Health, the Oahu region, and the State; and
 - (G) Authorizes the issuance of general obligation bonds and appropriate the proceeds of the bonds for improvements at Leahi Hospital and Maluhia;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 628, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 628, S.D. 2, H.D. 1, and be referred to your Committee on Labor & Tourism.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Ward). Noes, none. Excused, 2 (Har, LoPresti).

SCRep. 1088 Health, Human Services, & Homelessness on S.B. No. 1258

The purpose of this measure is to allow for the use of standard telephone contact for telehealth purposes.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Hawaii Primary Care Association, Hawaii Substance Abuse Coalition, AARP Hawai'i, Planned Parenthood Votes Northwest and Hawaii, Hawai'i Public Health Association, Oahu Kidney Care, Hawaii Medical Association, Waianae Coast Comprehensive Health Center, Waimānalo Health Center, Children's Doctors LLC, Hawai'i Section of the American College of Obstetricians and Gynecologists, Hawaii Psychiatric Medical Association, Hawaiian Islands Association for Marriage and Family Therapy, and numerous individuals. Your Committee received comments on this measure from the Department of Human Services, Kaiser Permanente Hawai'i, Hawaii Medical Service Association, and Hawai'i Psychological Association.

Your Committee finds that H.B. No. 473, H.D. 2 (Regular Session of 2021), a substantially similar measure, was previously passed by your Committee. H.B. No. 473, H.D. 2 ensures that physicians have the flexibility to establish a physician-patient relationship through telehealth, which will increase access to care for residents in the State.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. No. 473, H.D. 2, a measure that authorizes the establishment of a physician-patient relationship via a telehealth interaction if the physician is licensed in the State;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1258, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1258, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Har, LoPresti).

SCRep. 1089 Health, Human Services, & Homelessness on S.B. No. 1021

The purpose of this measure is to:

- (1) Allow the Department of Health to accommodate traditional Hawaiian burial practices, such as alkaline hydrolysis or water cremation, to promote the use of traditional Hawaiian burial practices; and
- (2) Prohibit the sale, transfer, conveyance, or other disposal or offer for sale of any plot, crypt, or niche unless the property on which the plot, crypt, or niche is located allows the interment of up to ten sets of human remains that are cremated or prepared in a manner consistent with traditional Hawaiian burials.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Aloha Mortuary; Ken Ordenstein Funerals; Fisher & Associates Consulting, LLC; and eleven individuals. Your Committee received testimony in opposition to this measure from the Hawaii Funeral & Cemetery Association, Inc.; Hawaiian Memorial Life Plan, Ltd.; Nuuanu Memorial Park & Mortuary; Dodo Mortuary, Inc.; Mililani Group, Inc.; Leeward Funeral Homes; and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that traditional Hawaiian burial practices, such as alkaline hydrolysis or water cremation, reduce human remains to their skeletal components using a combination of water, heat, and base chemicals such as lye. Your Committee further finds that modern treatment of corpses, such as embalming, involve chemicals that can be harmful to the environment as these chemicals will eventually be released into the soil and aquifers.

Your Committee has amended this measure by:

- (1) Including by reference a definition of "traditional Hawaiian burial" for the law on Cemetery and Funeral Trusts, Chapter 441, Hawaii Revised Statutes;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1021, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1021, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Ward). Noes, none. Excused, 2 (Har, LoPresti).

SCRep. 1090 Health, Human Services, & Homelessness/Corrections, Military, & Veterans on S.B. No. 386

The purpose of this measure is to require a family court to make findings, after a hearing and in writing, before a minor can be transferred to an adult jail or lockup or be permitted sight or sound contact with adult offenders, subject to certain circumstances.

Your Committees received testimony in support of this measure from the Judiciary, Office of Hawaiian Affairs, Office of the Public Defender, Office of Youth Services, Rainbow Family 808, and three individuals. Your Committees received comments on this measure from the Department of Public Safety.

Your Committees find that the lifelong consequences on a minor after being transferred to the adult criminal justice system has a profoundly negative effect on the minor and the community. Your Committees further find that, because full brain development and maturity does not typically occur until after the age of twenty-five, adult facilities do not provide minors with developmentally appropriate rehabilitative services.

Your Committees have amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health, Human Services, & Homelessness and Corrections, Military, & Veterans that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 386, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 386, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 7. Noes, none. Excused, 1 (LoPresti).

Corrections, Military, & Veterans: Ayes, 6. Noes, none. Excused, 2 (Ganaden, Branco).

SCRep. 1091 Education on S.B. No. 516

The purpose of this measure is to:

- (1) Require the State Board for Career and Technical Education to oversee and review annually the statewide data collection processes, reporting requirements, and business rules related to the student attainment of industry-recognized credentials;
- (2) Beginning July 1, 2022, require the State Board for Career and Technical Education to provide an annual report to the Governor and the Legislature on students' attainment of industry recognized credentials; and
- (3) Require all state agencies that administer educational or training courses that lead to, provide, or otherwise align with the attainment of an industry-recognized credential to collect and report certain categories of data and pursue data-sharing agreements with credentialing entities.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Chamber of Commerce Hawaii, HawaiiKidsCAN, and three individuals. Your Committee received testimony in support of the intent of this measure from the Department of Education and Office of the State Director for Career and Technical Education. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that in the current job market, nearly sixty-five percent of available positions require postsecondary credentials. Industry-recognized credentials are important because they teach the specific knowledge and skills required for an occupation or industry and will better prepare students who attain these industry-recognized credentials for the job market. Your Committee further finds that Hawaii has critical shortages of qualified local workers in sectors including health, education, air travel, and technology. The Promising Credentials project was launched as a collaborative effort aimed at using Hawaii labor market data and local employer insights to identify high-value industry credentials in the State. This measure will help to break down the data collected by credential and have the data be consistently collected and reported by state agencies.

Your Committee has amended this measure by:

- (1) Clarifying that the State Board for Career and Technical Education shall ensure consistent data collection and transparent reporting across relevant state education systems and agencies;
- (2) Requiring all state data collection processes, reporting requirements, and business rules to support the collection of student-level data to include data that is disaggregated based on identified populations of industry-recognized credential attainment;
- (3) Removing the requirement for all state agencies to that administer education or training courses that lead to, provide, or otherwise aligns with the attainment of an industry-recognized credential to collect and report to the board annual data on student-level credential attainment and to pursue data-sharing agreements with credentialing entities;
- (4) Deleting the reporting dates for when the State Board for Career and Technical Education would be required to send its annual report;
- (5) Amending Act 46, Session Laws of Hawaii 2020, to:
 - (A) Require the Department of Education, University of Hawaii, Department of Labor and Industrial Relations, and other state agencies to share data through the statewide longitudinal data system;
 - (B) Repeal a purpose of sharing data, which was to meet longitudinal data requirements of the federal American Recovery and Reinvestment Act of 2009;
 - (C) Require the statewide longitudinal data system to store and analyze career and technical education data it receives from all state educational systems and workforce training agencies; and
 - (D) Require the Department of Education, University of Hawaii, Department of Labor and Industrial Relations, and other state agencies to partner to collectively govern the statewide longitudinal system, rather than establish a data governance and access committee;
- (6) Providing that the requirement that the State Board for Career and Technical Education to oversee and review annually the statewide data collection processes, reporting requirements, and business rules related to the student attainment of industry-recognized credentials, shall take effect on July 1, 2022;
- (7) Changing its effective date to July 1, 2051; and
- (8) 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 is in accord with the intent and purpose of S.B. No. 516, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 516, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Gates, Yamane).

SCRep. 1092 Education/Energy & Environmental Protection on S.B. No. 1311

The purpose of this measure is to require the Department of Education to:

- (1) Establish locally sourced food and zero-emission vehicle goals as part of the Sustainable Schools Initiative; and
- (2) Submit an annual report to the Legislature.

Your Committees received testimony in support of this measure from PlanIt; Hawai'i Youth Climate Coalition; Ulupono Initiative; Hawaii Electric Vehicle Association; Big Island Electric Vehicle Association; 350Hawaii.org; Kauai Climate Action Coalition; Hawaii Cattlemen's Council, Inc.; Pacific American Foundation; Climate Protectors Hawai'i; Our Revolution Hawaii; Hawai'i Farm to School Hui; Sustainable Energy Hawaii; and nine individuals. Your Committees received comments on this measure from the Department of Education and Hawaii State Energy Office.

Your Committees find that Hawaii imports more than 6,000,000 pounds of food on a daily basis at a cost of more than \$3,000,000,000 per year. An increase in locally sourced proteins and produce would simultaneously improve food quality and public health, boost the local economy, and improve overall food sustainability. Your Committees further find that traditional internal combustion school bus engines emit exhaust, which children breathe in while riding buses and sitting in traffic, and can increase asthma and other health problems. In contrast, electric school buses provide potential benefits to the quality of student

health, the environment, utility infrastructure, and cost savings. This measure will engage students in sustainable living through learning about food waste management and provide students with zero emission transportation in the future.

Your Committees have amended this measure by:

- (1) Changing its effective date to July 1, 2050; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Education and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1311, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1311, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chairs on behalf of the Committees.

Education: Ayes, 8; Ayes with Reservations (Okimoto). Noes, none. Excused, 4 (Gates, Hashimoto, Quinlan, Yamane).

Energy & Environmental Protection: Ayes, 5. Noes, none. Excused, 3 (Matayoshi, Todd, Matsumoto).

SCRep. 1093 Corrections, Military, & Veterans on S.B. No. 744

The purpose of this measure is to:

- (1) Repeal the authorization for the Governor to negotiate with any person for the development or expansion of private in-state correctional facilities; and
- (2) Affirmatively prohibit the establishment of a private correctional facility within the State.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Community Alliance on Prisons; United Public Workers, AFSCME Local 646, AFL-CIO; American Civil Liberties Union of Hawai'i; and ten individuals. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that currently there are no private prisons being operated in the State despite the Governor's existing authority to negotiate for their development. Your Committee further finds that private prisons lack the transparency, accountability, programs, protocols, and oversight mechanisms of facilities operated by the Department of Public Safety. Your Committee also finds that repealing the authority of the Governor to negotiate for the development of private in-state correctional facilities is consistent with the measure's affirmative prohibition against the establishment of private correctional facilities within the State.

Your Committee has amended this measure by:

- (1) Repealing the Governor's authority to enter into a contract for a private entity to lease or purchase a correctional facility it constructs and requiring that such a privately constructed facility be operated by the Department of Public Safety; and
- (2) 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 744, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 744, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Kong, McDermott). Noes, none. Excused, none.

SCRep. 1094 Corrections, Military, & Veterans on S.B. No. 1243

The purpose of this measure is to require:

- (1) The State to phase out the use of private prisons; and
- (2) The Department of Public Safety to obtain the Hawaii Correctional System Oversight Commission's approval before constructing any new correctional facility or expanding any existing correctional facility.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Office of Hawaiian Affairs; Hawai'i Correctional System Oversight Commission; Community Alliance on Prisons; United Public Workers, AFSCME Local 646, AFL-CIO; American Civil Liberties Union of Hawai'i; Hawaii State Teachers Association; Young Progressives Demanding Action; Hawaii Government Employees Association, ASFCME Local 152, AFL-CIO; The Sentencing Project; and seventeen individuals. Your Committee received testimony in opposition to this measure from the Department of Public Safety.

Your Committee finds that the State has relied on contracted private, for-profit prisons to house a significant portion of the State's prison population for more than two decades. Your Committee further finds that the adverse impacts of incarcerating inmates outside of the State include isolating the inmates from their families, friends, and in many cases, cultural roots. Your Committee notes, however, that private prisons were authorized in response to overcrowded conditions in outdated correctional facilities that became unable to house the increase in the State's prison population. Your Committee therefore finds that any plan to phase out the use of private correctional facilities must be accompanied by a thorough systemic review of any plans for construction of new correctional facilities or expansion of existing correctional facilities.

Accordingly, your Committee has amended this measure by:

- (1) Removing the preamble;
- (2) Removing the prohibition on the use of private correctional institutions and instead tasking the Hawaii Correctional System Oversight Commission with creating a comprehensive plan to phase out private correctional institutions by an unspecified date;
- (3) Requiring the Department of Public Safety to obtain input and recommendations from the Hawaii Correctional System Oversight Commission on any master plan to construct a new correctional facility or expand an existing correctional facility, and include the input and recommendations in any environmental impact statement on the project;
- (4) Changing the effective date to July 1, 3050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1243, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1243, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Kong). Noes, none. Excused, none.

SCRep. 1095 Corrections, Military, & Veterans on S.B. No. 664

The purpose of this measure is to authorize the development of the new Oahu community correctional center.

Your Committee received testimony in support of this measure from the Department of Public Safety, Department of Accounting and General Services, and Hawai'i Psychological Association. Your Committee received testimony in opposition to this measure from the Office of the Public Defender, Community Alliance on Prisons, American Civil Liberties Union of Hawai'i, Young Progressives Demanding Action, and ten individuals. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

Your Committee finds that this measure could be improved by requiring that certain features be addressed at any new facility, including culturally appropriate rehabilitation programs. Your Committee further finds that the Hawaii Correctional System Oversight Commission (Commission) should weigh in on best practices concerning the design of the facility and ways it can better serve the inmate population.

Your Committee also finds that the Legislature authorized the position of oversight coordinator when it established the Commission in 2019, specified a salary equivalent to the salary of the Director of Human Resources Development, and mandated that the coordinator devote their entire time and attention to the administration of the Commission. The Legislature also authorized the oversight coordinator to employ persons to perform the functions of the Commission. To date, the Commission has operated without the benefit of an oversight coordinator or support staff.

Accordingly, your Committee has amended this measure by:

- (1) Requiring the Department of Public Safety to provide programming focused on cultural-based rehabilitation at any new facility;
- (2) Requiring the Department of Public Safety to obtain input from the Commission on its plans and designs concerning specified components of the facility;
- (3) Inserting an appropriation for the oversight coordinator position and necessary support staff positions for the Commission; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that, should your Committee on Finance decide to hear this measure, the recommended appropriation amount for the oversight coordinator position and necessary support staff positions for the Commission is \$330,000.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 664, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 664, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Branco, B. Kobayashi, Tarnas). Noes, none. Excused, none.

SCRep. 1096 Housing/Transportation on S.B. No. 225

The purpose of this measure is to:

- (1) Allow the cost of regional infrastructure improvements undertaken by the Hawaii Housing Finance and Development Corporation to be assessed against transit-oriented development projects that specifically benefit from the improvements; and
- (2) Require the Hawaii Interagency Council for Transit-Oriented Development to review and make recommendations on applications for Dwelling Unit Revolving Fund subaccount funds for infrastructure projects related to transit-oriented development.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Office of Planning, Hawaii Interagency Council for Transit-Oriented Development, and one individual.

Your Committees find that the cost of off-site infrastructure is a major barrier to achieving transit-oriented development statewide. This measure would facilitate the State's investment in transit-oriented development infrastructure by allowing the Hawaii Housing Finance and Development Corporation to fix assessments against real property specially benefiting from the improvements, thereby offsetting their significant upfront costs.

Your Committees have amended this measure by:

- (1) Incorporating certain mechanics for the assessments, including methods that may be used in calculating their value, and specifying that sums collected shall be deposited in the Dwelling Unit Revolving Fund; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Housing and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 225, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 225, S.D. 1, H.D. 1, and be referred to your Committee on Water & Land.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 6. Noes, none. Excused, 2 (Hashimoto, Takumi).

Transportation: Ayes, 6. Noes, none. Excused, 2 (Hashimoto, Takumi).

SCRep. 1097 Housing on S.B. No. 468

The purpose of this measure is to:

- (1) Repeal the school impact fee exemptions for nonresidential development and housing subject to the transient accommodations tax when seeking development in a designated school impact district requiring county subdivision approval, county building permit, or condominium property regime approval of the project;
- (2) Allow construction cost component impact fees to be used to improve or renovate existing structures for school use; and
- (3) Repeal the requirement that an expenditure plan for all collected impact fees be incorporated into the Department of Education's annual budget process.

Your Committee received testimony in support of this measure from the Department of Education. Your Committee received testimony in opposition to this measure from the Land Use Research Foundation of Hawaii and NAIOP Hawaii. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that school impact fees play a vital role in the development of new school facilities in designated areas where the construction of new housing directly increases student enrollment. Your Committee further finds that combining an expansion of the use of construction cost component impact fees with a separation of the expenditure plan of school impact fees from the Department of Education's annual budget process will provide the Department with flexibility to more efficiently address the needs of each school impact district.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 468, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 468, S.D. 1, H.D. 1, and be referred to your Committee on Education.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (McDermott). Noes, none. Excused, 1 (Takumi).

SCRep. 1098 Housing on S.B. No. 866

The purpose of this measure is to temporarily exempt affordable housing projects by the Hawaii Housing Finance and Development Corporation from specific state and county fees and exactions related to discretionary approval or ministerial permitting, except application fees and costs payable to the Hawaii Housing Finance and Development Corporation, when the housing units are exclusively for certain qualified residents.

Your Committee received testimony in support of this measure from the Land Use Research Foundation of Hawaii; Hunt Companies – Hawaii; Stanford Carr Development, LLC; The Michaels Organization; and Building Industry Association of Hawaii. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation, NAIOP Hawaii, EAH Housing, Hawaii Habitat for Humanity Association, and Hawaii Applesseed Center for Law & Economic Justice.

Your Committee finds that the affordable housing crisis has been exacerbated by the coronavirus (COVID-19) pandemic. This measure provides fiscal incentives to allow affordable housing projects to be more financially feasible, thereby promoting the development of affordable housing in the State.

Your Committee has amended this measure by:

- (1) Retaining statutory language that specified that the legislative bodies of the counties must approve, approve with modifications, or disapprove affordable housing projects;
- (2) Clarifying that the temporary exemption shall apply to affordable housing units in project developments; 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 866, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 866, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Takumi).

SCRep. 1099 Housing on S.B. No. 36

The purpose of this measure is to prohibit discrimination, including in advertisements for available real property, based on participation in a housing assistance program, or requirements related to participation in housing assistance programs, in rental transactions.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Office of Hawaiian Affairs, Hawai'i State Commission on the Status of Women, Hawai'i Civil Rights Commission, Hawaii Public Housing Authority, Hawai'i Health & Harm Reduction Center, Planned Parenthood Votes Northwest and Hawaii, Catholic Charities Hawai'i, Community Alliance Partners, Imua Alliance, Medical-Legal Partnership Hawai'i, American Civil Liberties Union of Hawai'i, HOPE Services Hawai'i, Neighborhood Place of Puna, League of Women Voters of Hawaii, and five individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS and one individual.

Your Committee finds that H.B. No. 981, H.D. 1 (Regular Session of 2021), a similar measure, was previously passed by your Committee. Your Committee further finds that H.B. No. 981, H.D. 1, includes a more streamlined definition of "housing assistance program" and allows for civil action of no more than \$2,500.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. No. 981, H.D. 1, a measure that:
 - (A) Prohibits discrimination, including in advertisements for rental property, in rental transactions based on participation in a housing assistance program or requirements related to participation in a housing assistance program; and
 - (B) Includes a defective date of July 1, 2050; and
- (2) 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 36, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 36, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (McDermott). Noes, none. Excused, 1 (Takumi).

SCRep. 1100 Housing on S.B. No. 607

The purpose of this measure is to maintain the viability of the Keawe Street Apartments affordable housing project by:

- (1) Removing the construction deadline for the completion of the Leialii affordable housing project; and
- (2) Specifying that the developer of the Keawe Street Apartments affordable housing project shall be responsible for all associated costs of the archaeological inventory survey for the footprint of the Keawe Street Apartments affordable housing project but shall not be responsible for the cost of

the archaeological inventory survey for the entire Villages of Leialii master planned community.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and Mayor of the County of Maui. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that there is a severe shortage of affordable rental housing in Maui County, particularly in the western part of the island. The Legislature has previously supported the expedited development of the Keawe Street Apartments affordable housing project in that area. Your Committee further finds that on September 21, 2020, the State Historic Preservation Division notified the Hawaii Housing Finance and Development Corporation that it would require a new archaeological inventory survey for the entire Villages of Leialii master planned community, of which the Keawe Street Apartments affordable housing project is a part. Your Committee finds that because a new archaeological inventory survey must be conducted, the 2022 construction completion deadline cannot be met.

Your Committee notes that the companion to this measure, H.B. No. 1311, H.D. 2 (Regular Session of 2021), was previously passed by the House.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. No. 1311, H.D. 2, a measure that:
 - (A) Removes the 2022 deadline for completion of the Leialii affordable housing project;
 - (B) Requires the Hawaii Housing Finance and Development Corporation to address historic preservation laws as funding is appropriated for each portion of the Leialii affordable housing project to expedite the development of the project; and
 - (C) Contains a defective effective date of July 1, 2050; and
- (2) 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 607, S.D. 3, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 607, S.D. 3, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Takumi).

SCRep. 1101 Housing on S.B. No. 7

The purpose of this measure is to increase the development of affordable housing in the State by giving the Hawaii Housing Finance and Development Corporation the right of first refusal on any transfer of a property interest on state lands within a one-half mile radius of a rail transit station, excluding any lands owned or operated by the Hawaii Public Housing Authority or Department of Hawaiian Home Lands.

Your Committee received testimony in support of this measure from Faith Action Housing NOW!, Hawaii Habitat for Humanity Association, and one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources, Hawaii Public Housing Authority, and Hawaii Housing Finance and Development Corporation.

Your Committee finds that there is a severe shortage of affordable housing in the State. Your Committee further finds that providing the Hawaii Housing Finance and Development Corporation with the opportunity to obtain control of and develop affordable housing on state lands near rail transit stations will help increase the State's affordable housing inventory.

Your Committee has amended this measure by:

- (1) Providing an exclusion for any lands or properties owned or operated by the Department of Land and Natural Resources from the Hawaii Housing Finance and Development Corporation's right of first refusal; and
- (2) 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 7, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 7, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Takumi).

SCRep. 1102 Housing on S.B. No. 659

The purpose of this measure is to amend the Low-Income Housing Tax Credit by:

- (1) Allowing the tax credit to be allocated among the partners or members of the partnership or limited liability company earning the credit in any manner agreed to by the partners or members;
- (2) Extending the increases made to the tax credit until December 31, 2027; and
- (3) Applying the amendments to taxable years beginning after December 31, 2024.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation; The Michaels Organization; Bank of Hawaii; NAIOP Hawaii; Stanford Carr Development, LLC; Dowling Company, Inc.; Maui Chamber of Commerce; Pacific Resource Partnership; and Hawaii Appleseed Center for Law and Economic Justice. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Tax Foundation of Hawaii, Hunt Companies – Hawaii, Hunt Capital Partners LLC, and Sugar Creek Capital.

Your Committee finds that this measure broadens how partners or members of a partnership or limited liability company may decide to allocate any low-income housing tax credits earned during a taxable year. This will expand the availability of the tax credit at little to no cost to the State. This measure therefore supports the development of affordable housing by increasing the available equity and feasibility of the construction and operation of affordable rental housing development projects in the State.

Your Committee has amended this measure by:

- (1) Specifying that the Low-Income Housing Tax Credit shall apply to taxable years beginning after December 31, 2020;
- (2) Changing the effective date to December 1, 2050, to encourage further discussion; 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 659, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 659, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Takumi).

SCRep. 1103 Housing on S.B. No. 566

The purpose of this measure is to increase the homestead exemption in bankruptcy proceedings for all persons to \$350,000 and require that the real property be the principal residence.

Your Committee received testimony in support of this measure from Maui Brewing Co.; Cain & Herren, ALC; Abelman Peterson LLC; and three individuals. Your Committee received testimony in opposition to this measure from Hawai'i Bankers Association, Hawaii Credit Union League, and Hawaii Financial Services Association.

Your Committee finds that the amount of the homestead exemption in bankruptcy proceedings has not been adjusted since 1978; however, the coronavirus disease 2019 (COVID-19) pandemic has emphasized the need to raise the exemption as the percentage of those who are not current on their mortgage loans doubled from 2019 to 2020. Your Committee further finds that the exemption should be raised to more accurately reflect the effects of inflation, the economic impacts of the COVID-19 pandemic, and keep families in their homes. Your Committee notes, however, that any change should represent a balanced approach that carefully considers the various potential impacts for all affected parties.

Your Committee has amended this measure by:

- (1) Removing the provisions that would have increased the homestead exemption in bankruptcy proceedings;
- (2) Requiring the Legislative Reference Bureau to conduct a study to determine the appropriate amount of an increase to the homestead exemption;
- (3) Changing the effective date to December 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 566, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 566, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Takumi).

SCRep. 1104 Housing on S.B. No. 1388

The purpose of this measure is to:

- (1) Extend the period for a notice of a summary possession action from five business days to fifteen calendar days;
- (2) Require landlords to engage in mediation and delay filing a summary possession action if a tenant schedules or attempts to schedule a mediation;
- (3) Require landlords to provide specific information in the fifteen calendar day notice to tenants, which shall also be provided to a mediation center that offers free mediation for residential landlord-tenant disputes;
- (4) Restrict when a landlord may exercise remedies, depending on the number of days that have elapsed following the expiration of the Governor's eviction moratorium and the amount of rent due; and
- (5) Repeal these amendments made to Hawaii's Residential Landlord-Tenant Code one year after the expiration of the Governor's final eviction moratorium.

Your Committee received testimony in support of this measure from the Office of Consumer Protection of the Department of Commerce and Consumer Affairs, Office of Hawaiian Affairs, Hawaii Housing Finance and Development Corporation, Legal Aid Society of Hawai'i, Hawai'i Association of REALTORS, and three individuals. Your Committee received comments on this measure from the Medical-Legal Partnership Hawai'i.

Your Committee finds that the COVID-19 pandemic and the extraordinary governmental responses to contain the spread of the disease have ravaged the State's economy. Your Committee also finds that this negative economic effect threatens to exacerbate the State's pre-pandemic housing crisis, with many tenants unable to pay rent and facing possible eviction.

Your Committee notes that the Governor's emergency proclamations related to the COVID-19 emergency have prevented a wave of evictions by imposing an eviction moratorium. However, once the eviction moratorium ceases, many tenants will face the possibility of eviction. This measure provides a balanced approach to encourage communications and facilitate mediation between landlords and tenants to help reduce the large number of summary possession cases that are expected to follow the expiration of certain eviction-related emergency proclamations.

Your Committee has amended this measure by:

- (1) Expanding provisions that are required to be included in the fifteen calendar day notice to the tenant;
- (2) Clarifying the contents of the fifteen calendar day notice and adding example language that a landlord may provide to a tenant, in a substantially similar form;
- (3) Limiting the remedies a landlord may seek for a tenant's failure to pay rent to a summary proceeding for possession;
- (4) Specifying that the rent due by a tenant will be equal to or greater than four months' rent from the first day, rather than the third day, through the thirtieth day after the expiration day of the final eviction moratorium;
- (5) Appropriating an unspecified amount of funds for fiscal year 2022-2023 for the Judiciary to contract for mediation services;
- (6) Repealing the amendments made to Hawaii's Residential Landlord-Tenant Code on December 31, 2022, or one year after the expiration of the Governor's final eviction moratorium, whichever is sooner; and
- (7) 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1388, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1388, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Takumi).

SCRep. 1105 Housing on S.B. No. 749

The purpose of this measure is to allow the Hawaii Public Housing Authority to develop non-subsidized housing.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs.

Your Committee finds that socially stable mixed-income and mixed-use housing can be a financially viable and diverse option for public housing in the State. This measure will facilitate the construction of new housing in the State for residents with various income levels.

Your Committee has amended this measure by:

- (1) Retaining the definition of "public housing project", "housing project", or "complex" under section 356D-1, Hawaii Revised Statutes, and specifying that the definition of "public housing project" may include mixed-income, mixed-use, mixed-finance redevelopment, executed through public-private partnerships, on properties owned by the Hawaii Public Housing Authority;
- (2) Excluding from the net proceeds of sales or leases of Hawaii Public Housing Authority-developed property that must be deposited into the Public Housing Revolving Fund those amounts required to be set aside or transferred pursuant to the Admission Act of 1959 or sections 1 and 6 of the Hawaii State Constitution;
- (3) Requiring the Hawaii Public Housing Authority to submit certain documentation to the Office of Hawaiian Affairs, regarding government or crown lands set aside or leased to the Hawaii Public Housing Authority, prior to any plan by the Authority to redevelop or enter into a public-private partnership for an affordable housing development; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 749, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 749, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Takumi).

SCRep. 1106 Education on H.R. No. 10

The purpose of this measure is to urge the Board of Education and Department of Education to support and implement community schools as an equity strategy for increasing access to a high-quality education and addressing COVID-19 learning loss.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawai'i Children's Action Network Speaks!, Hawai'i Public Health Institute, Our Revolution Hawaii, Blue Zones Project, American Diabetes Association, and four individuals.

Your Committee finds that the COVID-19 pandemic will likely increase the number of students considered economically challenged and has contributed to significant learning loss due to limited in-person instruction between teachers and students. Your Committee further finds that community schools provide comprehensive programs and services to meet the unique needs of students and their families and that practices embodied in community schools promote conditions found in high-quality schools nationwide. The support and implementation of community schools will increase access to high-quality education for Hawaii's students and address COVID-19 learning loss.

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. 10 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Yamane).

SCRep. 1107 Education on H.C.R. No. 9

The purpose of this measure is to urge the Board of Education and Department of Education to support and implement community schools as an equity strategy for increasing access to a high-quality education and addressing COVID-19 learning loss.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawai'i Children's Action Network Speaks!, Hawai'i Afterschool Alliance, Hawai'i Public Health Institute, Our Revolution Hawaii, Blue Zones Project, American Diabetes Association, and seven individuals.

Your Committee finds that the COVID-19 pandemic will likely increase the number of students considered economically challenged and has contributed to significant learning loss due to limited in-person instruction between teachers and students. Your Committee further finds that community schools provide comprehensive programs and services to meet the unique needs of students and their families and that practices embodied in community schools promote conditions found in high-quality schools nationwide. The support and implementation of community schools will increase access to high-quality education for Hawaii's students and address COVID-19 learning loss.

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. 9 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Yamane).

SCRep. 1108 Education on H.R. No. 11

The purpose of this measure is to urge the Board of Education and Department of Education to support and implement afterschool programs as an equity strategy to combat COVID-19 learning loss.

Your Committee received testimony in support of this measure from Hawai'i Children's Action Network Speaks!, Hui For Excellence in Education, and three individuals.

Your Committee finds that student learning has been significantly disrupted by the shift away from in-person learning due to school closures in response to the COVID-19 pandemic. The shift away from in-person learning has disproportionately impacted disadvantaged students from low-income families. The afterschool programs urged by this measure will provide additional learning opportunities for those most in need.

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. 11 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Yamane).

SCRep. 1109 Education on H.C.R. No. 10

The purpose of this measure is to urge the Board of Education and Department of Education to support and implement afterschool programs as an equity strategy to combat COVID-19 learning loss.

Your Committee received testimony in support of this measure from Hawai'i Children's Action Network Speaks!, After-School All-Stars Hawaii, Hui For Excellence in Education, Hawai'i Afterschool Alliance, Our Revolution Hawaii, and nine individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that student learning has been significantly disrupted by the shift away from in-person learning due to school closures in response to the COVID-19 pandemic. The shift away from in-person learning has disproportionately impacted disadvantaged students from low-income families. The afterschool programs urged by this measure will provide additional learning opportunities for those most in need.

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. 10 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Yamane).

SCRep. 1110 Education on H.R. No. 42

The purpose of this measure is to request the Department of Education to provide a report to the Legislature providing certain information on public school class sizes.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association and one individual.

Your Committee finds that class-size reduction is an evidence-based reform that has been proven to increase student achievement. As demonstrated in other jurisdictions, small class sizes have led to students scoring better on standardized tests, receiving better grades, and exhibiting improved attendance. This measure will provide policymakers with accurate data on class sizes to make further informed policy decision-making.

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. 42 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Yamane).

SCRep. 1111 Education on H.C.R. No. 53

The purpose of this measure is to request the Department of Education to provide a report to the Legislature providing certain information on public school class sizes.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that class-size reduction is an evidence-based reform that has been proven to increase student achievement. As demonstrated in other jurisdictions, small class sizes have led to students scoring better on standardized tests, receiving better grades, and exhibiting improved attendance. This measure will provide policymakers with accurate data on class sizes to make further informed policy decision-making.

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. 53 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Yamane).

SCRep. 1112 Education on H.R. No. 25

The purpose of this measure is to urge the Department of Education to develop and implement an affirmative action program designed to recruit and employ qualified blind professionals to serve as orientation and mobility instructors and in other positions as teachers of visually impaired students.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board and eleven individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that, up until recently, the Department of Education only accepted the Certified Orientation and Mobility Specialist certification. The Certified Orientation and Mobility Specialist certification is a training method that provides a vision-centered approach to orientation and mobility services and emphasizes instructors who are sighted.

Your Committee, however, further finds that another training method--the National Orientation and Mobility Certification--utilizes methods and principles from decades of lived experiences, attitudes, and techniques of blind persons and emphasizes instructors who are blind. It is considered a best practice to hire individuals with the National Orientation and Mobility Certification. While the Hawaii Teachers Standards Board has begun to accept the National Orientation and Mobility Certification, this has not led to an increased reliance on blind instructors and the Department of Education does not currently employ any instructors with the National Orientation and Mobility Certification. This measure will provide students who are blind or vision impaired with greater access to various training methods.

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. 25 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Yamane).

SCRep. 1113 Education on H.C.R. No. 32

The purpose of this measure is to urge the Department of Education to develop and implement an affirmative action program designed to recruit and employ qualified blind professionals to serve as orientation and mobility instructors and in other positions as teachers of visually impaired students.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board and six individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that, up until recently, the Department of Education only accepted the Certified Orientation and Mobility Specialist certification. The Certified Orientation and Mobility Specialist certification is a training method that provides a vision-centered approach to orientation and mobility services and emphasizes instructors who are sighted.

Your Committee, however, further finds that another training method--the National Orientation and Mobility Certification--utilizes methods and principles from decades of lived experiences, attitudes, and techniques of blind persons and emphasizes instructors who are blind. It is considered a best practice to hire individuals with the National Orientation and Mobility Certification. While the Hawaii Teachers Standards Board has begun to accept the National Orientation and Mobility Certification, this has not led to an increased reliance on blind instructors and the Department of Education does not currently employ any instructors with the National Orientation and Mobility Certification. This measure will provide students who are blind or vision impaired with greater access to various training methods.

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. 32 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Yamane).

SCRep. 1114 Education on H.R. No. 7

The purpose of this measure is to urge the Board of Education to mandate the Department of Education to hold quarterly town halls where students, parents, and community members can voice their concerns and suggestions to the Superintendent of Education.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network and one individual.

Your Committee finds that there are few options for students to voice their opinions and concerns directly to the Superintendent of Education and administration of the Department of Education. Your Committee further finds that town halls are public meetings where officials can present their ideas and plans to the community and hear the community's views and feedback on those ideas and plans. Your Committee believes that town halls can serve as the appropriate avenue for students to discuss their opinions and concerns with the Department of Education administration.

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. 7 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Okimoto). Noes, none. Excused, 1 (Yamane).

SCRep. 1115 Education on H.C.R. No. 6

The purpose of this measure is to urge the Board of Education to mandate the Department of Education to hold quarterly town halls where students, parents, and community members can voice their concerns and suggestions to the Superintendent of Education.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network and two individuals.

Your Committee finds that there are few options for students to voice their opinions and concerns directly to the Superintendent of Education and administration of the Department of Education. Your Committee further finds that town halls are public meetings where officials can present their ideas and plans to the community and hear the community's views and feedback on those ideas and plans. Your Committee believes that town halls can serve as the appropriate avenue for students to discuss their opinions and concerns with the Department of Education administration.

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. 6 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Okimoto). Noes, none. Excused, 1 (Yamane).

SCRep. 1116 Education on H.R. No. 9

The purpose of this measure is to urge the Board of Education and Department of Education to elevate Hawaiian language and cultural education in public high schools by incorporating more diverse Hawaiian language and cultural classes as core requirements throughout secondary education.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network and one individual.

Your Committee finds that Native Hawaiian students represent the single largest ethnic group in Hawaii's public schools and deserve a curriculum that is attentive to the perpetuation of their culture and identity. Your Committee further finds that the only existing core curriculum requirement at the high school level dedicated to promoting the study of Hawaiian culture, history, and language and providing for a Hawaiian education program in public schools, as required by article X, section 4, of the Hawaii State Constitution, is the 0.5 credit Modern Hawaiian History class. Your Committee believes Hawaiian education will be of benefit to students of all ethnic backgrounds by contribution to an understanding and appreciation of Hawaii's unique cultural and historical context.

Your Committee has amended this measure by:

- (1) Amending its title to read "HOUSE RESOLUTION URGING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO ELEVATE HAWAIIAN LANGUAGE AND CULTURAL EDUCATION IN PUBLIC HIGH SCHOOLS BY EXPANDING ACCESS TO HAWAIIAN LANGUAGE AND CULTURAL CLASSES THAT FULFILL CORE REQUIREMENTS THROUGHOUT SECONDARY EDUCATION;"
- (2) Clarifying that the Board of Education and Department of Education are urged to elevate Hawaiian language and cultural education in public high schools by expanding access to Hawaiian language and cultural classes that fulfill core requirements throughout secondary education;
- (3) Inserting language requesting the Department of Education's Office of Hawaiian Education to identify public school teachers who have received or

would like to receive training in Hawaiian language and culture to increase access to Hawaiian content in secondary schools; and

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

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 9, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.R. No. 9, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Yamane).

SCRep. 1117 Education on H.C.R. No. 8

The purpose of this measure is to urge the Board of Education and Department of Education to elevate Hawaiian language and cultural education in public high schools by incorporating more diverse Hawaiian language and cultural classes as core requirements throughout secondary education.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network and three individuals.

Your Committee finds that Native Hawaiian students represent the single largest ethnic group in Hawaii's public schools and deserve a curriculum that is attentive to the perpetuation of their culture and identity. Your Committee further finds that the only existing core curriculum requirement at the high school level dedicated to promoting the study of Hawaiian culture, history, and language and providing for a Hawaiian education program in public schools, as required by article X, section 4, of the Hawaii State Constitution, is the 0.5 credit Modern Hawaiian History class. Your Committee believes Hawaiian education will be of benefit to students of all ethnic backgrounds by contribution to an understanding and appreciation of Hawaii's unique cultural and historical context.

Your Committee has amended this measure by:

- (1) Amending its title to read "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO ELEVATE HAWAIIAN LANGUAGE AND CULTURAL EDUCATION IN PUBLIC HIGH SCHOOLS BY EXPANDING ACCESS TO HAWAIIAN LANGUAGE AND CULTURAL CLASSES THAT FULFILL CORE REQUIREMENTS THROUGHOUT SECONDARY EDUCATION;"
- (2) Clarifying that the Board of Education and Department of Education are urged to elevate Hawaiian language and cultural education in public high schools by expanding access to Hawaiian language and cultural classes that fulfill core requirements throughout secondary education;
- (3) Inserting language requesting the Department of Education's Office of Hawaiian Education to identify public school teachers who have received or would like to receive training in Hawaiian language and culture to increase access to Hawaiian content in secondary schools; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education 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 that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.C.R. No. 8, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Yamane).

SCRep. 1118 Education on H.R. No. 41

The purpose of this measure is to request the Office of the Governor to convene a task force to assess whether state agencies' anti-bullying policies and records of incidences of bullying are properly updated and effectively utilized.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in support of the intent of this measure from the University of Hawai'i System and Hawaii Association of School Psychologists.

Your Committee finds that all students have the right to fully participate in the education process that is free from bullying, including cyberbullying and harassment. Your Committee further finds that implementing new policies that focus on progressive punishments, rather than punitive punishments, for students that have committed acts of bullying, cyberbullying, or harassment should be prioritized.

Your Committee has amended this measure by:

- (1) Clarifying that the task force is requested to consider race or color and ancestry or national origin when providing recommendations on changes to curricula that are meant to reduce bullying and promote civil conduct through education;
- (2) Clarifying that the task force is requested to consider that students who have committed acts of bullying, cyberbullying, or harassment be given non-punitive actions that are meant to address the root causes of bullying;
- (3) Including trauma-informed care and restorative justice programs under the non-punitive actions that may be given to students who have committed acts of bullying, cyberbullying, or harassment; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 41, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.R. No. 41, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Yamane).

SCRep. 1119 Education on H.C.R. No. 52

The purpose of this measure is to request the Office of the Governor to convene a task force to assess whether state agencies' anti-bullying policies and records of incidences of bullying are properly updated and effectively utilized.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in support of the intent of this measure from the Department of Education, University of Hawai'i System, and Hawaii Association of School Psychologists.

Your Committee finds that all students have the right to fully participate in the education process that is free from bullying, including cyberbullying and

harassment. Your Committee further finds that implementing new policies that focus on progressive punishments, rather than punitive punishments, for students that have committed acts of bullying, cyberbullying, or harassment should be prioritized.

Your Committee has amended this measure by:

- (1) Clarifying that the task force is requested to consider race or color and ancestry or national origin when providing recommendations on changes to curricula that are meant to reduce bullying and promote civil conduct through education;
- (2) Clarifying that the task force is requested to consider that students who have committed acts of bullying, cyberbullying, or harassment be given non-punitive actions that are meant to address the root causes of bullying;
- (3) Including trauma-informed care and restorative justice programs under the non-punitive actions that may be given to students who have committed acts of bullying, cyberbullying, or harassment; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 52, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.C.R. No. 52, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Yamane).

SCRep. 1120 Education on H.R. No. 49

The purpose of this measure is to urge the Department of Education to advance the quality of educational programming for Hawaii's students by minimizing the use of external contracts for curricula, instruction and testing for public schools.

Your Committee received testimony in support of this measure from four individuals.

Your Committee finds that the ethnic and socioeconomic diversity of Hawaii's public school student population requires place-based and culturally appropriate curricula. Your Committee further finds that empowering professionals who are most directly involved with instructional delivery to develop learning materials will ensure that students are provided with educational opportunities that are culturally sensitive and account for different learning styles.

Your Committee has amended this measure by:

- (1) Amending its title to read, "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO DEVELOP AND IMPLEMENT A PLAN TO REDUCE THE USE OF EXTERNAL CONTRACTS FOR CURRICULA, INSTRUCTION, AND TESTING IN PUBLIC SCHOOLS.";
- (2) Amending its purpose to urging the Department of Education in consultation with the Board of Education, to develop and implement a plan to reduce the use of external contracts for curricula, instruction, and testing in public schools, including recommendations for additional steps to reduce external contracts;
- (3) Including members from the exclusive representative for bargaining unit 6 in the advisory committee that will make recommendations to assist the Department of Education in developing and implementing the plan; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 49, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 49, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Okimoto). Noes, none. Excused, 1 (Yamane).

SCRep. 1121 Education on H.C.R. No. 60

The purpose of this measure is to urge the Department of Education to advance the quality of educational programming for Hawaii's students by minimizing the use of external contracts for curricula, instruction, and testing for public schools.

Your Committee received testimony in support of this measure from four individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that the ethnic and socioeconomic diversity of Hawaii's public school student population requires place-based and culturally appropriate curricula. Your Committee further finds that empowering professionals who are most directly involved with instructional delivery to develop learning materials will ensure that students are provided with educational opportunities that are culturally sensitive and account for different learning styles.

Your Committee has amended this measure by:

- (1) Amending its title to read, "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO DEVELOP AND IMPLEMENT A PLAN TO REDUCE THE USE OF EXTERNAL CONTRACTS FOR CURRICULA, INSTRUCTION, AND TESTING IN PUBLIC SCHOOLS.";
- (2) Amending its purpose to urging the Department of Education in consultation with the Board of Education, to develop and implement a plan to reduce the use of external contracts for curricula, instruction, and testing in public schools, including recommendations for additional steps to reduce external contracts;
- (3) Including members from the exclusive representative for bargaining unit 6 in the advisory committee that will make recommendations to assist the Department of Education in developing and implementing the plan; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 60, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 60, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Okimoto). Noes, none. Excused, 1 (Yamane).

SCRep. 1122 Finance on H.B. No. 200

The purpose of this measure is to appropriate funds for the operating and capital improvement costs of the Executive Branch for fiscal year (FY) 2021-2022 and FY 2022-2023.

The Administration submitted an operating budget that totaled:

	<u>FY 2021-2022</u>	<u>FY 2022-2023</u>
General Funds	\$7,685,972,117	\$7,798,266,153
All Means of Financing	\$15,416,743,597	\$15,521,316,276

The Administration submitted a capital improvement budget that totaled:

	<u>FY 2021-2022</u>	<u>FY 2022-2023</u>
General Obligation Bonds	\$679,393,000	\$512,128,000
All Means of Financing	\$1,236,328,000	\$1,116,254,000

Testimony received on this measure can be found at the Legislature's website at <https://www.capitol.hawaii.gov/>

Your Committee has amended this budget to appropriate the following in operating funds:

	<u>FY 2021-2022</u>	<u>FY 2022-2023</u>
General Funds	\$7,539,026,531	\$7,633,229,840
American Rescue Plan Funds	\$532,031,661	\$1,073,609,720
All Means of Financing	\$15,364,292,360	\$15,997,626,345

Your Committee has further amended this budget to appropriate the following in capital improvement funds:

	<u>FY 2021-2022</u>	<u>FY 2022-2023</u>
General Obligation Bonds	\$693,017,000	\$518,964,000
American Rescue Plan Funds	\$115,328,000	\$-
All Means of Financing	\$1,401,330,000	\$1,122,590,000

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.B. No. 200, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 200, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (McDermott). Noes, none. Excused, none.

SCRep. 1123 Economic Development on S.B. No. 579

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist the House of Aloha Enterprises LLC, with planning, designing, constructing, and equipping facilities in Hawaii for the manufacturing and processing of certain products.

Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that it is critical for the State to diversify certain sectors of the economy, including manufacturing, to generate local jobs and tax revenues. This measure supports the development and construction of local facilities that will enable farmers, value-added agriculture producers, and entrepreneurs with access to automated packaging and bottling, shipping, and other services to generate jobs and revenue, resulting in a more self-sustainable economy.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 579, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 1124 Water & Land on H.C.R. No. 70

The purpose of this measure is to authorize the Board of Land and Natural Resources to lease a portion of state submerged lands seaward of the property identified as Tax Map Key: (1) 4-4-022:032, Kaneohe Bay, Kaneohe, Oahu, for recreational boat pier purposes pursuant to section 171-53(c), Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Kaneohe Yacht Club.

Your Committee finds that this measure authorizes the lease of submerged lands in Kaneohe Bay for recreational boat pier purposes. Your Committee further finds that section 171-53(c), Hawaii Revised Statutes, requires the prior approval of the Governor and prior authorization of the Legislature by concurrent resolution to lease state submerged lands.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 70 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 1125 Water & Land on H.C.R. No. 66

The purpose of this measure is to review and approve a specific land exchange between the State of Hawaii and trustees of the Parker Land Trust.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

Your Committee finds that this land exchange is mutually beneficial to the State and Parker Ranch, Inc. Your Committee further finds that section 171-50(c), Hawaii Revised Statutes, requires that land exchanges of public land for private land be subject to approval by the Legislature by a majority vote of both houses in any regular or special session following the date of the Board of Land and Natural Resources' approval in principle of the exchange.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the

intent and purpose of H.C.R. No. 66 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 1126 Agriculture on H.R. No. 26

The purpose of this measure is to:

- (1) Urge the Department of Agriculture to form an inter-governmental Kona Area Agricultural Working Group to help navigate opportunities of agriculture, economic development, and affordable housing; and
- (2) Request the Kona Area Agricultural Working Group, with the Department of Agriculture's assistance, to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature prior to the 2022 Regular Session.

Your Committee received testimony in support of this measure from the Hawaii Food Industry Association and one individual. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that the island of Hawaii provides an abundance of opportunities to bring benefits to the community in the areas of agriculture, economic development, and affordable housing. Your Committee recognizes that it takes a well-coordinated effort among governmental agencies to foster better outcomes in these areas. This measure provides an impetus to further ongoing efforts to help navigate opportunities of agriculture, economic development, and affordable housing in the Kona area.

Your Committee has amended this measure by:

- (1) Amending its title to read: "URGING THE DEPARTMENT OF AGRICULTURE TO ESTABLISH A KONA AREA AGRICULTURAL WORKING GROUP TO PROMOTE AGRICULTURE, ECONOMIC DEVELOPMENT, AND AFFORDABLE HOUSING."; and
- (2) 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 Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 26, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 26, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Todd).

SCRep. 1127 Agriculture on H.C.R. No. 33

The purpose of this measure is to:

- (1) Urge the Department of Agriculture to form an inter-governmental Kona Area Agricultural Working Group to help navigate opportunities of agriculture, economic development, and affordable housing; and
- (2) Request the Kona Area Agricultural Working Group, with the Department of Agriculture's assistance, to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature prior to the 2022 Regular Session.

Your Committee received testimony in support of this measure from the Hawaii Food Industry Association and one individual. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that the island of Hawaii provides an abundance of opportunities to bring benefits to the community in the areas of agriculture, economic development, and affordable housing. Your Committee recognizes that it takes a well-coordinated effort among governmental agencies to foster better outcomes in these areas. This measure provides an impetus to further ongoing efforts to help navigate opportunities of agriculture, economic development, and affordable housing in the Kona area.

Your Committee has amended this measure by:

- (1) Amending its title to read: "URGING THE DEPARTMENT OF AGRICULTURE TO ESTABLISH A KONA AREA AGRICULTURAL WORKING GROUP TO PROMOTE AGRICULTURE, ECONOMIC DEVELOPMENT, AND AFFORDABLE HOUSING."; and
- (2) 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 Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 33, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 33, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Todd).

SCRep. 1128 Agriculture on H.R. No. 157

The purpose of this measure is to request:

- (1) The Legislative Reference Bureau, in consultation with the Department of Agriculture, Department of Taxation, and Hawaii Emergency Management Agency, to conduct a study to recommend to the Legislature how to support greater local production of food; and
- (2) The Legislative Reference Bureau to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature prior to the 2022 Regular Session.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Agriculture and Office of Planning.

Your Committee finds that an estimated eighty-five percent of Hawaii's food is imported, which makes Hawaii particularly vulnerable to outside factors, including natural disasters, diseases, and other national and global events. Your Committee finds that greater investment in establishing more local production of food will lead to economic, social, and environmental benefits for Hawaii, as well as address the State's dependence on imports for food. This measure supports a collaborative approach to strengthen the local production of food in Hawaii and address local food access and production needs in the State.

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. 157 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Todd).

SCRep. 1129 Agriculture on H.C.R. No. 188

The purpose of this measure is to request:

- (1) The Legislative Reference Bureau, in consultation with the Department of Agriculture, Department of Taxation, and Hawaii Emergency Management Agency, to conduct a study to recommend to the Legislature how to support greater local production of food; and
- (2) The Legislative Reference Bureau to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature prior to the 2022 Regular Session.

Your Committee received testimony in support of this measure from Ulupono Initiative and four individuals. Your Committee received comments on this measure from the Department of Taxation, Department of Agriculture, Office of Planning, and Legislative Reference Bureau.

Your Committee finds that an estimated eighty-five percent of Hawaii's food is imported, which makes Hawaii particularly vulnerable to outside factors, including natural disasters, diseases, and other national and global events. Your Committee finds that greater investment in establishing more local production of food will lead to economic, social, and environmental benefits for Hawaii, as well as address the State's dependence on imports for food. This measure supports a collaborative approach to strengthen the local production of food in Hawaii and address local food access and production needs in the State.

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. 188 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Todd).

SCRep. 1130 Agriculture on H.R. No. 50

The purpose of this measure is to urge the Department of Agriculture to ensure the inclusion of socially disadvantaged farmers and ranchers in the development, adoption, implementation, and enforcement of food and agriculture laws, rules, policies, and programs.

Your Committee received testimony in support of this measure from three individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that this measure furthers the important conversation about supporting socially disadvantaged farmers and ranchers and takes meaningful action toward equity in agriculture in Hawaii. With increasing national awareness surrounding issues of equity, equity in agriculture is finally being given the attention that it deserves.

Your Committee has amended this measure by 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 Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 50, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.R. No. 50, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Todd).

SCRep. 1131 Agriculture on H.C.R. No. 61

The purpose of this measure is to urge the Department of Agriculture to ensure the inclusion of socially disadvantaged farmers and ranchers in the development, adoption, implementation, and enforcement of food and agriculture laws, rules, policies, and programs.

Your Committee received testimony in support of this measure from Kuahiwi Ranch and five individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that this measure furthers the important conversation about supporting socially disadvantaged farmers and ranchers and takes meaningful action toward equity in agriculture in Hawaii. With increasing national awareness surrounding issues of equity, equity in agriculture is finally being given the attention that it deserves.

Your Committee has amended this measure by 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 Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 61, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 61, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Todd).

SCRep. 1132 Labor & Tourism on H.R. No. 47

The purpose of this measure is to urge the United States Congress and President of the United States to enact the Protecting the Right to Organize Act as expeditiously as possible.

Your Committee received testimony in support of this measure from the International Union of Bricklayers and Allied Craftworkers Local #1 of Hawaii; Young Progressives Demanding Action; International Longshore & Warehouse Union Local 142; International Union of Painters and Allied Trades, District Council 50; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; International Brotherhood of Electrical Workers Local 1260; Hawaii State AFL-CIO; United Public Workers, AFSCME Local 646, AFL-CIO; Hawaii Nurses' Association; Hawaii Building & Construction Trades Council; International Brotherhood of Electrical Workers Local Union 1186; and two individuals. Your Committee received testimony in opposition to this measure from Associated Builders and Contractors Hawaii.

Your Committee finds that unionized workers earn over thirteen percent more than comparable nonunionized workers, receive fairer wages and better benefits, and generally have better working conditions. Your Committee further finds that the Protecting the Right to Organize Act enhances workers' rights by providing greater opportunity to unite and bargain meaningfully for fairer wages and benefits, and thus, has the potential to raise workers' living standards.

Your Committee has amended this measure by:

- (1) Amending its title to read: "URGING THE UNITED STATES CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO ENACT THE PROTECTING THE RIGHT TO ORGANIZE ACT OF 2021 AS EXPEDITIOUSLY AS POSSIBLE."; and
- (2) 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 Labor & Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 47, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.R. No. 47, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, 1 (Okimoto). Excused, 1 (Quinlan).

SCRep. 1133 Labor & Tourism on H.C.R. No. 58

The purpose of this measure is to urge the United States Congress and President of the United States to enact the Protecting the Right to Organize Act as expeditiously as possible.

Your Committee received testimony in support of this measure from the International Union of Bricklayers and Allied Craftworkers Local #1 of Hawaii; International Longshore & Warehouse Union Local 142; LGBT Caucus of the Democratic Party of Hawaii; International Union of Painters and Allied Trades, District Council 50; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; International Brotherhood of Electrical Workers Local 1260; Hawaii State AFL-CIO; United Public Workers, AFSCME Local 646, AFL-CIO; Hawaii Nurses' Association; Pride at Work – Hawaii; Young Progressives Demanding Action; Hawaii Building & Construction Trades Council; International Brotherhood of Electrical Workers Local Union 1186; and one individual. Your Committee received testimony in opposition to this measure from Associated Builders and Contractors Hawaii.

Your Committee finds that unionized workers earn over thirteen percent more than comparable nonunionized workers, receive fairer wages and better benefits, and generally have better working conditions. Your Committee further finds that the Protecting the Right to Organize Act enhances workers' rights by providing greater opportunity to unite and bargain meaningfully for fairer wages and benefits, and thus, has the potential to raise workers' living standards.

Your Committee has amended this measure by:

- (1) Amending its title to read: "URGING THE UNITED STATES CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO ENACT THE PROTECTING THE RIGHT TO ORGANIZE ACT OF 2021 AS EXPEDITIOUSLY AS POSSIBLE."; and
- (2) 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 Labor & Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 58, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.C.R. No. 58, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, 1 (Okimoto). Excused, 1 (Quinlan).

SCRep. 1134 Labor & Tourism on H.R. No. 86

The purpose of this measure is to request that the Director of Labor and Industrial Relations convene a task force to study, design, and develop a Paid Family Leave Pilot Program.

Your Committee received testimony in support of this measure from a member of the Hawaii County Council; Hawaii Children's Action Network Speaks!; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawai'i Public Health Institute; Breastfeeding Hawaii; American Association of University Women of Hawaii; and Common Cause Hawaii. Your Committee received comments on this measure from the Department of Labor and Industrial Relations, Chamber of Commerce Hawaii, and Society for Human Resource Management Hawaii.

Your Committee finds that the family leave provided under federal and state laws is mainly unpaid, and as of March 2018, only seventeen percent of workers in the United States had access to paid family leave through their employers. Your Committee further finds that, because of financial constraints, a majority of Hawaii's workforce cannot afford to take unpaid leave for family caregiving purposes.

Your Committee also finds that in December 2019, the Legislative Reference Bureau issued its Paid Family Leave Program Impact Study, which projected the costs and staffing required to establish and maintain a paid family leave system in Hawaii under three social insurance models. However, the study reported that pertinent policy aspects need to be determined regardless of which model is adopted.

Your Committee has amended this measure by:

- (1) Requesting that the task force develop its own goals and objectives for the Paid Family Leave Pilot Program;
- (2) Requesting that the task force appoint a chairperson from among its members;
- (3) Providing that the task force be dissolved on January 31, 2023; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 86, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 86, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 1135 Labor & Tourism on H.C.R. No. 104

The purpose of this measure is to request that the Director of Labor and Industrial Relations convene a task force to study, design, and develop a Paid Family Leave Pilot Program.

Your Committee received testimony in support of this measure from a member of the Hawaii County Council; Pride at Work – Hawaii; LGBT Caucus of the Democratic Party of Hawaii; American Association of University Women of Hawaii; Planned Parenthood Votes Northwest and Hawaii; Hawaii Children's Action Network Speaks!; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawai'i Public Health Institute; Breastfeeding Hawaii; and Common Cause Hawaii. Your Committee received comments on this measure from the Department of Labor and Industrial Relations, Chamber of Commerce Hawaii, and Society for Human Resource Management Hawaii.

Your Committee finds that the family leave provided under federal and state laws is mainly unpaid, and as of March 2018, only seventeen percent of workers in the United States had access to paid family leave through their employers. Your Committee further finds that, because of financial constraints, a majority of Hawaii's workforce cannot afford to take unpaid leave for family caregiving purposes.

Your Committee also finds that in December 2019, the Legislative Reference Bureau issued its Paid Family Leave Program Impact Study, which projected the costs and staffing required to establish and maintain a paid family leave system in Hawaii under three social insurance models. However, the study reported that pertinent policy aspects need to be determined regardless of which model is adopted.

Your Committee has amended this measure by:

- (1) Requesting that the task force develop its own goals and objectives for the Paid Family Leave Pilot Program;
- (2) Requesting that the task force appoint a chairperson from among its members;
- (3) Providing that the task force be dissolved on January 31, 2023; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 104, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 104, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 1136 Water & Land on H.R. No. 23

The purpose of this measure is to request the Department of Land and Natural Resources to establish a task force to propose a community-based stewardship program to address capacity, access, fishing, surfing, and vehicle use for Polihale State Park on Kauai.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that Polihale State Park, which contains sensitive cultural and natural resources, has suffered from management deficiencies as well as unlawful and damaging behavior by some park users. Your Committee finds that community discussions with the Department of Land and Natural Resources that have been initiated to discuss the proper stewardship of Polihale State Park should continue, with the hope of addressing various issues through a community-based planning effort.

Your Committee has amended this measure by:

- (1) Changing its title to read: "REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH A COMMUNITY ADVISORY COMMITTEE FOR POLIHALE STATE PARK ON THE ISLAND OF KAUAI.";
- (2) Stating that:
 - (A) COVID-19 public health concerns were one of the reasons that prompted the Department of Land and Natural Resources to shut down public access to the park in the summer of 2020;
 - (B) Some users of Polihale State Park have a history of noncompliance with Hawaii Administrative Rules for the Hawaii State Park System, including driving on the beach; and
 - (C) The State Parks Division has initiated discussions with groups interested in creating a stewardship agreement with the Division to help the Division manage resources and educate the public regarding Polihale State Park;
- (3) Requesting the Department of Land and Natural Resources to establish a community advisory committee, rather than a task force, to engage in a community-based planning effort to address the various issues identified in this measure, including resource protection, capacity, access, fishing, surfing, and vehicle use for Polihale State Park on Kauai, and to achieve compliance with the Department of Land and Natural Resources' rules;
- (4) Adjusting the membership of the community advisory committee;
- (5) Requesting the Department of Land and Natural Resources to share its findings with area legislators in the interest of developing potential enabling legislation to implement any actions identified by the community advisory committee;
- (6) Adding the Governor and Mayor of the County of Kauai as recipients to whom certified copies of this measure will be transmitted; and
- (7) 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 Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 23, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 23, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 1137 Water & Land on H.C.R. No. 30

The purpose of this measure is to request the Department of Land and Natural Resources to establish a task force to propose a community-based stewardship program to address capacity, access, fishing, surfing, and vehicle use for Polihale State Park on Kauai.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that Polihale State Park, which contains sensitive cultural and natural resources, has suffered from management deficiencies as well as unlawful and damaging behavior by some park users. Your Committee finds that community discussions with the Department of Land and Natural Resources that have been initiated to discuss the proper stewardship of Polihale State Park should continue, with the hope of addressing various issues through a community-based planning effort.

Your Committee has amended this measure by:

- (1) Changing its title to read: "REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH A COMMUNITY ADVISORY COMMITTEE FOR POLIHALE STATE PARK ON THE ISLAND OF KAUAI.";

(2) Stating that:

- (A) COVID-19 public health concerns were one of the reasons that prompted the Department of Land and Natural Resources to shut down public access to the park in the summer of 2020;
 - (B) Some users of Polihale State Park have a history of noncompliance with Hawaii Administrative Rules for the Hawaii State Park System, including driving on the beach; and
 - (C) The State Parks Division has initiated discussions with groups interested in creating a stewardship agreement with the Division to help the Division manage resources and educate the public regarding Polihale State Park;
- (3) Requesting the Department of Land and Natural Resources to establish a community advisory committee, rather than a task force, to engage in a community-based planning effort to address the various issues identified in this measure, including resource protection, capacity, access, fishing, surfing, and vehicle use for Polihale State Park on Kauai, and to achieve compliance with the Department of Land and Natural Resources' rules;
- (4) Adjusting the membership of the community advisory committee;
- (5) Requesting the Department of Land and Natural Resources to share its findings with area legislators in the interest of developing potential enabling legislation to implement any actions identified by the community advisory committee;
- (6) Adding the Governor and Mayor of the County of Kauai as recipients to whom certified copies of this measure will be transmitted; and
- (7) 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 Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 30, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 30, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 1138 Water & Land on H.R. No. 58

The purpose of this measure is to request the Department of Land and Natural Resources to petition the United States Secretary of the Interior, through the United States Fish and Wildlife Service, to protect the Oahu pueo, also known as the Hawaiian short-eared owl (*Asio flammeus sandwichensis*) as a threatened or endangered species.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Livable Hawaii Kai Hui, Kawaihapai Ohana, Hawaii's Thousand Friends, and one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the pueo is a species endemic to Hawaii, a prominent figure in Hawaiian culture, and an 'aumakua of many Hawaiian families.

Your Committee has amended this measure by:

- (1) Requesting the Department of Land and Natural Resources to petition the United States Secretary of the Interior, through the United States Fish and Wildlife Service, to protect the pueo, not just the Oahu pueo, as a threatened or endangered species under the Endangered Species Act;
- (2) Changing its title to read: "REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO SUBMIT A PETITION TO LIST THE PUEO AS A THREATENED OR ENDANGERED SPECIES UNDER THE ENDANGERED SPECIES ACT."; 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 Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 58, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.R. No. 58, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 1139 Water & Land on H.C.R. No. 69

The purpose of this measure is to request the Department of Land and Natural Resources to petition the United States Secretary of the Interior, through the United States Fish and Wildlife Service, to protect the Oahu pueo, also known as the Hawaiian short-eared owl (*Asio flammeus sandwichensis*) as a threatened or endangered species.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Hawaii's Thousand Friends, Livable Hawaii Kai Hui, Kawaihapai Ohana, Kanehili Cultural Hui, and three individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the pueo is a species endemic to Hawaii, a prominent figure in Hawaiian culture, and an 'aumakua of many Hawaiian families.

Your Committee has amended this measure by:

- (1) Requesting the Department of Land and Natural Resources to petition the United States Secretary of the Interior, through the United States Fish and Wildlife Service, to protect the pueo, not just the Oahu pueo, as a threatened or endangered species under the Endangered Species Act;
- (2) Changing its title to read: "REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO SUBMIT A PETITION TO LIST THE PUEO AS A THREATENED OR ENDANGERED SPECIES UNDER THE ENDANGERED SPECIES ACT."; 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 Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 69, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.C.R. No. 69, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 1140 Transportation/Housing on H.R. No. 103

The purpose of this measure is to request that the Hawaii Interagency Council for Transit-oriented Development establish a State Transit-Oriented Investments Task Force to prioritize near-term infrastructure projects for funding within priority transit-oriented development areas.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Office of Planning, and Hawai'i Interagency Council for Transit-Oriented Development.

Your Committees find that transit-oriented development promotes a development pattern that supports quality of life, preserves the natural environment, provides a range of housing choices for residents, and encourages various forms of environmentally friendly modes of transportation. Your Committees further find that the Office of Planning has identified the infrastructure facility needs and costs in three transit-oriented development priority areas, which play a pivotal role in providing the people of Hawaii access to affordable housing. Your Committees believe that the State needs to determine priorities for the funding and timing of needed infrastructure investments and develop a financing plan to be used to offset the cost of state investment in infrastructure projects. This measure will allow the State to make informed decisions regarding transit-oriented development zones and priorities in funding by establishing a task force to provide recommendations regarding a comprehensive transit-oriented development financing plan.

As affirmed by the records of votes of the members of your Committees on Transportation and Housing that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 103 and recommend that it be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 7. Noes, none. Excused, 1 (Takumi).

Housing: Ayes, 7. Noes, none. Excused, 1 (Takumi).

SCRep. 1141 Transportation/Housing on H.C.R. No. 126

The purpose of this measure is to request that the Hawaii Interagency Council for Transit-oriented Development establish a State Transit-Oriented Investments Task Force to prioritize near-term infrastructure projects for funding within priority transit-oriented development areas.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Office of Planning, and Hawai'i Interagency Council for Transit-Oriented Development.

Your Committees find that transit-oriented development promotes a development pattern that supports quality of life, preserves the natural environment, provides a range of housing choices for residents, and encourages various forms of environmentally friendly modes of transportation. Your Committees further find that the Office of Planning has identified the infrastructure facility needs and costs in three transit-oriented development priority areas, which play a pivotal role in providing the people of Hawaii access to affordable housing. Your Committees believe that the State needs to determine priorities for the funding and timing of needed infrastructure investments and develop a financing plan to be used to offset the cost of state investment in infrastructure projects. This measure will allow the State to make informed decisions regarding transit-oriented development zones and priorities in funding by establishing a task force to provide recommendations regarding a comprehensive transit-oriented development financing plan.

As affirmed by the records of votes of the members of your Committees on Transportation and Housing that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 126 and recommend that it be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 7. Noes, none. Excused, 1 (Takumi).

Housing: Ayes, 7. Noes, none. Excused, 1 (Takumi).

SCRep. 1142 Transportation on H.R. No. 149

The purpose of this measure is to urge the Department of Transportation, Mayor of the City and County of Honolulu, and Honolulu City Council to reroute Farrington Highway in accordance with the 1998 Makaha Beach Park Master Plan.

Your Committee received testimony in support of this measure from the Buffalo Surfing Classic and seven individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that Farrington Highway is the only transportation route to travel south in the Makaha area and the urgency to repair the Makaha Bridge has been a public safety concern for Waianae residents for many years. Your Committee further finds that in 1998 the City and County of Honolulu developed a master plan for Makaha Beach Park that proposed to reroute Farrington Highway further inland and away from the beach, as well as expanding the beach park with new picnic areas, fields, and restroom facilities, however, the 1998 Makaha Beach Park Master Plan was never executed due to a lack of funds. This measure seeks to have the 1998 Makaha Beach Park Master Plan followed with regard to rerouting Farrington Highway.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 149 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1143 Transportation on H.C.R. No. 180

The purpose of this measure is to urge the Department of Transportation, Mayor of the City and County of Honolulu, and Honolulu City Council to reroute Farrington Highway in accordance with the 1998 Makaha Beach Park Master Plan.

Your Committee received testimony in support of this measure from the Buffalo Surfing Classic and numerous individuals. Your Committee received testimony in opposition to this measure from seven individuals. Your Committee received comments on this measure from two individuals.

Your Committee finds that Farrington Highway is the only transportation route to travel south in the Makaha area and the urgency to repair the Makaha Bridge has been a public safety concern for Waianae residents for many years. Your Committee further finds that in 1998 the City and County of Honolulu developed a master plan for Makaha Beach Park that proposed to reroute Farrington Highway further inland and away from the beach, as well as expanding the beach park with new picnic areas, fields, and restroom facilities, however, the 1998 Makaha Beach Park Master Plan was never executed due to a lack of funds. This measure seeks to have the 1998 Makaha Beach Park Master Plan followed with regard to rerouting Farrington Highway.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 180 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1144 Transportation on H.R. No. 30

The purpose of this measure is to request the Department of Transportation and Department of Public Works of the County of Kauai to conduct a study to identify and recommend methods to alleviate traffic congestion at certain intersections along the Kaumualii Highway.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that the Kaumualii Highway in the County of Kauai connects a number of communities in Kauai and acts as a link to access vital services for residents and visitors of Kauai. Your Committee further finds that fifty-two of the largest employers on Kauai are located in communities near the Kaumualii Highway, causing significant traffic congestion and disturbing the quality of life for many on Kauai. Your Committee believes the importance of Kaumualii Highway necessitates a collaborative effort by the State and County of Kauai to develop methods to alleviate traffic congestion on Kaumualii Highway.

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

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1145 Transportation on H.C.R. No. 37

The purpose of this measure is to request the Department of Transportation and Department of Public Works of the County of Kauai to conduct a study to identify and recommend methods to alleviate traffic congestion at certain intersections along the Kaumualii Highway.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that the Kaumualii Highway in the County of Kauai connects a number of communities in Kauai and acts as a link to access vital services for residents and visitors of Kauai. Your Committee further finds that fifty-two of the largest employers on Kauai are located in communities near the Kaumualii Highway, causing significant traffic congestion and disturbing the quality of life for many on Kauai. Your Committee believes the importance of Kaumualii Highway necessitates a collaborative effort by the State and County of Kauai to develop methods to alleviate traffic congestion on Kaumualii Highway.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 37 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1146 Transportation on H.C.R. No. 97

The purpose of this measure is to request the formation of a task force on North Road management.

Your Committee received testimony in support of this measure from the Department of Transportation, one member of the Honolulu City Council, and one individual.

Your Committee finds that North Road in Ewa Beach connects the community to its schools, parks, churches, and other areas of Ewa Beach. Your Committee further finds that the safety of residents, illegal dumping, and maintenance of roads continue to be top concerns of the residents of Ewa Beach. These issues are further complicated by jurisdictional issues of North Road. Your Committee believes that a task force regarding North Road is necessary to address these concerns.

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. 97 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1147 Transportation on H.R. No. 122

The purpose of this measure is to request the Department of Transportation to designate the Reef Runway as the Frank T. Okimoto Reef Runway.

Your Committee received testimony in support of this measure from three individuals.

Your Committee finds that in 1977, the Reef Runway was built to alleviate the aircraft noise patterns over Honolulu and the surrounding area. The Reef Runway was the world's first major runway built entirely offshore and won two national awards due to its engineering and design. Your Committee further finds that the project engineer for the Reef Runway was the late Frank T. Okimoto. Your Committee believes that designating the Reef Runway as the Frank T. Okimoto Reef Runway is an appropriate way to recognize Frank T. Okimoto and his achievements in engineering the Reef Runway.

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. 122 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1148 Transportation on H.C.R. No. 144

The purpose of this measure is to request the Department of Transportation to designate the Reef Runway as the Frank T. Okimoto Reef Runway.

Your Committee received testimony in support of this measure from four individuals.

Your Committee finds that in 1977, the Reef Runway was built to alleviate the aircraft noise patterns over Honolulu and the surrounding area. The Reef Runway was the world's first major runway built entirely offshore and won two national awards due to its engineering and design. Your Committee further finds that the project engineer for the Reef Runway was the late Frank T. Okimoto. Your Committee believes that designating the Reef Runway as the Frank T. Okimoto Reef Runway is an appropriate way to recognize Frank T. Okimoto and his achievements in engineering the Reef Runway.

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. 144 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1149 Transportation on H.R. No. 101

The purpose of this measure is to support any public project, permit, or approval that improves pedestrian and traffic safety while retaining public parking at Laniakea Beach.

Your Committee received testimony in support of this measure from the Department of Transportation and one individual.

Your Committee finds that Laniakea Beach is a popular tourist attraction, with hundreds of visitors parking along Kamehameha Highway for an opportunity to see turtles on the beach. However, this has created major safety concerns as pedestrians are crossing the street, causing traffic congestion on Kamehameha Highway. The Department of Transportation attempted to address this safety concern by placing concrete jersey barriers to block the public from parking on city property. While the barriers worked to improve traffic in the area, the Department of Transportation was later required to remove all barriers. Currently, the Department of Transportation is looking at four alternatives to improve safety and traffic conditions in that area. Therefore, your Committee believes that any project aiming to improve the safety of pedestrians and drivers in the State should be supported by the Legislature.

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. 101 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1150 Transportation on H.C.R. No. 125

The purpose of this measure is to support any public project, permit, or approval that improves pedestrian and traffic safety while retaining public parking at Laniakea Beach.

Your Committee received testimony in support of this measure from the Department of Transportation and one individual.

Your Committee finds that Laniakea Beach is a popular tourist attraction, with hundreds of visitors parking along Kamehameha Highway for an opportunity to see turtles on the beach. However, this has created major safety concerns as pedestrians are crossing the street, causing traffic congestion on Kamehameha Highway. The Department of Transportation attempted to address this safety concern by placing concrete jersey barriers to block the public from parking on city property. While the barriers worked to improve traffic in the area, the Department of Transportation was later required to remove all barriers. Currently, the Department of Transportation is looking at four alternatives to improve safety and traffic conditions in that area. Therefore, your Committee believes that any project aiming to improve the safety of pedestrians and drivers in the State should be supported by the Legislature.

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. 125 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1151 Transportation on H.R. No. 66

The purpose of this measure is to request the Department of Transportation Services of the City and County of Honolulu to conduct a traffic safety analysis regarding the implementation of traffic calming systems.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Department of Transportation Services of the City and County of Honolulu.

Your Committee finds that traffic congestion in the State remains a concern for many residents. Your Committee further finds that the increase in traffic congestion and speeding throughout the State increases the risk of harm to motorists, bicyclists, and pedestrians. The Department of Transportation has reported 17 traffic fatalities that occurred in the State as of March 2021. Your Committee believes an analysis of existing traffic safety measures should be conducted and that innovative safety measures, such as calming systems, need to be implemented to better protect the residents and visitors of the State.

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. 66 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1152 Transportation on H.C.R. No. 78

The purpose of this measure is to request the Department of Transportation Services of the City and County of Honolulu to conduct a traffic safety analysis regarding the implementation of traffic calming systems.

Your Committee received testimony in support of this measure from four individuals. Your Committee received comments on this measure from the Department of Transportation Services of the City and County of Honolulu.

Your Committee finds that traffic congestion in the State remains a concern for many residents. Your Committee further finds that the increase in traffic congestion and speeding throughout the State increases the risk of harm to motorists, bicyclists, and pedestrians. The Department of Transportation has reported 17 traffic fatalities that occurred in the State as of March 2021. Your Committee believes an analysis of existing traffic safety measures should be conducted and that innovative safety measures, such as calming systems, need to be implemented to better protect the residents and visitors of the State.

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. 78 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1153 Transportation on H.R. No. 80

The purpose of this measure is to urge Hawaii helicopter companies to avoid conducting non-emergency flights over residential neighborhoods.

Your Committee received testimony in support of this measure from the O'ahu Tour Helicopter Safety and Noise Inter-Action Group and one individual.

Your Committee finds that commercial helicopter flights are a popular activity in Hawaii. However, while these flights are popular amongst visitors of the

State, it has become a nuisance and danger to many residents as these commercial helicopter flights fly over residential neighborhoods. The increase in commercial helicopter flights has also increased safety risks and noise pollution for many residents. Although commercial helicopter flights have contributed to economic growth in the State, there are safety concerns when those flights take place over residential areas. Your Committee believes that a compromise would be to limit helicopter companies from flying over residential areas, thereby improving the quality of life for many residents.

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. 80 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1154 Transportation on H.C.R. No. 95

The purpose of this measure is to urge Hawaii helicopter companies to avoid conducting non-emergency flights over residential neighborhoods.

Your Committee received testimony in support of this measure from one member of Hawaii's congressional delegation, the Windward Coalition, O'ahu Tour Helicopter Safety and Noise Inter-Action Group, HICop, and three individuals.

Your Committee finds that commercial helicopter flights are a popular activity in Hawaii. However, while these flights are popular amongst visitors of the State, it has become a nuisance and danger to many residents as these commercial helicopter flights fly over residential neighborhoods. The increase in commercial helicopter flights has also increased safety risks and noise pollution for many residents. Although commercial helicopter flights have contributed to economic growth in the State, there are safety concerns when those flights take place over residential areas. Your Committee believes that a compromise would be to limit helicopter companies from flying over residential areas, thereby improving the quality of life for many residents.

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. 95 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1155 Transportation on H.R. No. 68

The purpose of this measure is to urge the United States Congress, Federal Aviation Administration, and Hawaii Department of Transportation to take every action necessary to address rapidly increasing safety risks and community disruption resulting from insufficient regulation of increasing operations of tour helicopters and small aircraft in the State.

Your Committee received testimony in support of this measure from one member of the Kaua'i County Council, O'ahu Tour Helicopter Safety and Noise Inter-Action Group, and HICoP.

Your Committee finds that the volume and extent of tour helicopters and small aircraft operations have rapidly increased throughout the State. The increase in such operations has further increased safety risks and noise concerns in residential areas of the State. Within the past two years, Hawaii has seen at least four incidents of a tour helicopter or small aircraft collision, ultimately taking the lives of numerous individuals. Your Committee believes that the federal and state governments should be collaborating to ensure tour helicopters and small aircrafts are properly regulated to avoid any further tragic accidents that result in the loss of a life.

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. 68 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1156 Transportation on H.C.R. No. 81

The purpose of this measure is to urge the United States Congress, Federal Aviation Administration, and Hawaii Department of Transportation to take every action necessary to address rapidly increasing safety risks and community disruption resulting from insufficient regulation of increasing operations of tour helicopters and small aircraft in the State.

Your Committee received testimony in support of this measure from one member of Hawaii's congressional delegation, the Department of Transportation, one member of the Kaua'i County Council, O'ahu Tour Helicopter Safety and Noise Inter-Action Group, HICoP, and two individuals.

Your Committee finds that the volume and extent of tour helicopters and small aircraft operations have rapidly increased throughout the State. The increase in such operations has further increased safety risks and noise concerns in residential areas of the State. Within the past two years, Hawaii has seen at least four incidents of a tour helicopter or small aircraft collision, ultimately taking the lives of numerous individuals. Your Committee believes that the federal and state governments should be collaborating to ensure tour helicopters and small aircrafts are properly regulated to avoid any further tragic accidents that result in the loss of a life.

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. 81 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1157 Transportation on H.R. No. 75

The purpose of this measure is to request the Department of Transportation to establish a task force to make recommendations on the proper identification and disposal of abandoned and derelict vehicles in the State.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that in 2018, more than 3,000 abandoned and derelict vehicles were removed from the streets in the City and County of Honolulu, an increase of over fifty percent from 2017. Your Committee believes that the increase in abandoned and derelict vehicles in the State necessitates the creation of a task force to look at existing laws regarding abandoned and derelict vehicles to assist in finding more efficient methods of disposal, thereby improving the quality of life for residents and visitors of the State.

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. 75 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1158 Transportation on H.C.R. No. 90

The purpose of this measure is to request the Department of Transportation to establish a task force to make recommendations on the proper identification and disposal of abandoned and derelict vehicles in the State.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that in 2018, more than 3,000 abandoned and derelict vehicles were removed from the streets in the City and County of Honolulu, an increase of over fifty percent from 2017. Your Committee believes that the increase in abandoned and derelict vehicles in the State necessitates the creation of a task force to look at existing laws regarding abandoned and derelict vehicles to assist in finding more efficient methods of disposal, thereby improving the quality of life for residents and visitors of the State.

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. 90 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1159 Transportation on H.R. No. 159

The purpose of this measure is to:

- (1) Urge the Department of Transportation and Department of Transportation Services of the City and County of Honolulu to create and maintain a priority list of sidewalk installation and improvement projects; and
- (2) Urge the Department of Transportation Services of the City and County of Honolulu to eliminate the one-hour grace period of any vehicle parking in the Residential Restricted Parking Zone.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that in 2017, the City and County of Honolulu enacted Ordinance No. 17-45, to create a residential restricted parking zone, which granted residents in certain neighborhoods permits to park on the street near those residential neighborhoods. With the permits, residents, and their guests, would be allowed to park in specific locations, without being subject to the one-hour parking time limit. This has been proven successful at mitigating the number of cars parking illegally and has allowed residents to find parking spaces near their residences. Your Committee notes however, that the existing ordinance allows for a one-hour grace period for anyone without a permit to park in these areas and that this should be repealed to allow residences more opportunities to find parking.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language urging the Department of Transportation and Department of Transportation Services of the City and County of Honolulu to create and maintain a priority list of sidewalk installation and improvement projects and all related language;
- (2) Inserting language regarding the Residential Restricted Parking Zone Program;
- (3) Amending its title to read, "URGING THE DEPARTMENT OF TRANSPORTATION SERVICES OF THE CITY AND COUNTY OF HONOLULU TO ELIMINATE THE ONE HOUR GRACE PERIOD FOR ANY VEHICLE PARKING IN A RESIDENTIAL RESTRICTED PARKING ZONE WITHOUT A PLACARD."; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 159, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 159, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1160 Transportation on H.C.R. No. 192

The purpose of this measure is to:

- (1) Urge the Department of Transportation and Department of Transportation Services of the City and County of Honolulu to create and maintain a priority list of sidewalk installation and improvement projects; and
- (2) Urge the Department of Transportation Services of the City and County of Honolulu to eliminate the one-hour grace period of any vehicle parking in the Residential Restricted Parking Zone.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that in 2017, the City and County of Honolulu enacted Ordinance No. 17-45, to create a residential restricted parking zone, which granted residents in certain neighborhoods permits to park on the street near those residential neighborhoods. With the permits, residents, and their guests, would be allowed to park in specific locations, without being subject to the one-hour parking time limit. This has been proven successful at mitigating the number of cars parking illegally and has allowed residents to find parking spaces near their residences. Your Committee notes however, that the existing ordinance allows for a one-hour grace period for anyone without a permit to park in these areas and that this should be repealed to allow residences more opportunities to find parking.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language urging the Department of Transportation and Department of Transportation Services of the City and County of Honolulu to create and maintain a priority list of sidewalk installation and improvement projects and all related language;
- (2) Inserting language regarding the Residential Restricted Parking Zone Program;
- (3) Amending its title to read, "URGING THE DEPARTMENT OF TRANSPORTATION SERVICES OF THE CITY AND COUNTY OF HONOLULU

TO ELIMINATE THE ONE HOUR GRACE PERIOD FOR ANY VEHICLE PARKING IN A RESIDENTIAL RESTRICTED PARKING ZONE WITHOUT A PLACARD."; and

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

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 192, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 192, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1161 Culture, Arts, & International Affairs on H.R. No. 84

The purpose of this measure is to empower young women by annually recognizing October 11 as the International Day of the Girl.

Your Committee did not receive any testimony on this measure.

Your Committee finds that girl children worldwide are often at a greater risk of being exposed to and encounter various forms of discrimination and violence. This discrimination and violence often results in less access for girls to quality education, nutrition, and physical and mental health care, and disadvantages in childhood can have a cyclical effect in later life, leaving women open to further discrimination, violence, and neglect. Your Committee further finds that the empowerment of girls, through active support of family and community, is crucial in breaking the cycle of discrimination and violence and in promoting and protecting the full and effective enjoyment of women's and girls' rights.

Your Committee has amended this measure by:

- (1) Recognizing only October 11, 2021, as International Day of the Girl, rather than on an annual basis; and
- (2) 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 Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 84, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 84, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1162 Culture, Arts, & International Affairs on H.C.R. No. 101

The purpose of this measure is to empower young women by annually recognizing October 11 as the International Day of the Girl.

Your Committee did not receive any testimony on this measure.

Your Committee finds that girl children worldwide are often at a greater risk of being exposed to and encounter various forms of discrimination and violence. This discrimination and violence often results in less access for girls to quality education, nutrition, and physical and mental health care, and disadvantages in childhood can have a cyclical effect in later life, leaving women open to further discrimination, violence, and neglect. Your Committee further finds that the empowerment of girls, through active support of family and community, is crucial in breaking the cycle of discrimination and violence and in promoting and protecting the full and effective enjoyment of women's and girls' rights.

Your Committee has amended this measure by:

- (1) Recognizing only October 11, 2021, as International Day of the Girl, rather than on an annual basis; and
- (2) 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 Culture, Arts, & International Affairs 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 your Committee on Finance in the form attached hereto as H.C.R. No. 101, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1163 Culture, Arts, & International Affairs on H.C.R. No. 127

The purpose of this measure is to request that the Hawaii Sister-State Committee evaluate and develop recommendations for the initiation of a sister state relationship between the State of Hawaii and the Prefecture of Yamaguchi, Japan, and forward the Committee's recommendations to the Legislature for further action.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Japan-America Society of Hawai'i; and one individual.

Your Committee finds that Hawaii and Yamaguchi Prefecture share a long history and strong bond, beginning with *kanyaku imin* and the immigration of thousands of contract laborers to Hawaii between 1885 and 1894 and carried forward through continuous cultural and education exchanges between the people of Yamaguchi and Hawaii. Your Committee further finds that the Governor of Yamaguchi Prefecture, Muraoka Tsugumasa, supports and will apply for the establishment of a sister-state relationship with Hawaii. The sister-state relationship proposed by this measure will be highly beneficial in expanding tourism, strengthening cultural bonds, and advancing common goals of international peace and brotherhood.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 127 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1164 Culture, Arts, & International Affairs on H.R. No. 115

The purpose of this measure is to recognize Mekia Kealakai's birthday of October 15 as Royal Hawaiian Troubadours Day.

Your Committee received testimony in support of this measure from the Friends of the Royal Hawaiian Band and six individuals.

Your Committee finds that Mekia Kealakai was part of the wave of Hawaiian string bands in the early twentieth century, known as the Royal Hawaiian Troubadour generation, that travelled and performed on the world fairs, chautauquas, and vaudeville circuits and raised international awareness and recognition of Hawaiian culture and music. Your Committee further finds that the style of music performed by the Hawaiian string bands heavily influenced what is now considered quintessentially American music, and the innovation in guitar design pioneered by Mekia Kealakai had long-lasting impacts on music icons from Elvis Presley to Bob Marley. This measure celebrates the contributions to the musical arts of the Hawaiian Troubadour Generation through the recognition of October 15, 2021, as Royal Hawaiian Troubadours Day.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 115 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1165 Culture, Arts, & International Affairs on H.C.R. No. 135

The purpose of this measure is to recognize Mekia Kealakai's birthday of October 15 as Royal Hawaiian Troubadours Day.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that Mekia Kealakai was part of the wave of Hawaiian string bands in the early twentieth century, known as the Royal Hawaiian Troubadour generation, that travelled and performed on the world fairs, chautauquas, and vaudeville circuits and raised international awareness and recognition of Hawaiian culture and music. Your Committee further finds that the style of music performed by the Hawaiian string bands heavily influenced what is now considered quintessentially American music, and the innovation in guitar design pioneered by Mekia Kealakai had long-lasting impacts on music icons from Elvis Presley to Bob Marley. This measure celebrates the contributions to the musical arts of the Hawaiian Troubadour Generation through the recognition of October 15, 2021, as Royal Hawaiian Troubadours Day.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 135 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1166 Culture, Arts, & International Affairs on H.R. No. 151

The purpose of this measure is to request the Legislative Reference Bureau to conduct a study to create a statutory definition of creative workers and develop recommendations on how the transient accommodations tax may be used to assist creative workers.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that creative artists in the State have experienced significant economic hardship because of the COVID-19 pandemic's impact on Hawaii's economy, particularly the tourism industry. Your Committee further finds that in a June 2020 report by the Brookings Institute, Hawaii was ranked as one of the top five states with a creative sector that has been affected by COVID-19 with job and revenue losses greater than the national average of 30.3 percent.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 151 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1167 Culture, Arts, & International Affairs on H.C.R. No. 182

The purpose of this measure is to request the Legislative Reference Bureau to conduct a study to create a statutory definition of creative workers and develop recommendations on how the transient accommodations tax may be used to assist creative workers.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawai'i Arts Alliance; Hawaii Youth Opera Chorus; and four individuals. Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that creative artists in the State have experienced significant economic hardship because of the COVID-19 pandemic's impact on Hawaii's economy, particularly the tourism industry. Your Committee further finds that in a June 2020 report by the Brookings Institute, Hawaii was ranked as one of the top five states with a creative sector that has been affected by COVID-19 with job and revenue losses greater than the national average of 30.3 percent.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 182 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1168 Culture, Arts, & International Affairs on H.R. No. 152

The purpose of this measure is to request a Creative Resurgence Task Force to be convened to build and foster creativity and innovation through the arts, culture, and humanities.

Your Committee did not receive any testimony on this measure.

Your Committee finds that the COVID-19 pandemic has had a devastating impact on the creative industry. Your Committee further finds that a broad-based effort by the public and private sectors is needed to create strategies to build and foster creativity in the State and develop recommendations for statutory action to support and encourage access to the creative sector and advance and diversify the creative economy.

Your Committee has amended this measure by:

- (1) Including the Director of Business, Economic Development, and Tourism as a member of the task force;
- (2) Removing the Executive Director of The Pōpolo Project and Hawaii Strategy Lab as a member of the task force; 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 Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 152, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 152, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1169 Culture, Arts, & International Affairs on H.C.R. No. 183

The purpose of this measure is to request a Creative Resurgence Task Force to be convened to build and foster creativity and innovation through the arts, culture, and humanities.

Your Committee received testimony in support of this measure from the Hawaii Arts Alliance, Hawaii Youth Opera Chorus, and four individuals.

Your Committee finds that the COVID-19 pandemic has had a devastating impact on the creative industry. Your Committee further finds that a broad-based effort by the public and private sectors is needed to create strategies to build and foster creativity in the State and develop recommendations for statutory action to support and encourage access to the creative sector and advance and diversify the creative economy.

Your Committee has amended this measure by:

- (1) Including the Director of Business, Economic Development, and Tourism as a member of the task force;
- (2) Removing the Executive Director of The Pōpolo Project and Hawaii Strategy Lab as a member of the task force; 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 Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 183, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 183, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1170 Culture, Arts, & International Affairs on H.C.R. No. 191

The purpose of this measure is to urge the Smithsonian Institution immediately rename the Arthur M. Sackler Gallery.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that the Arthur M. Sackler Gallery is one of the Smithsonian Institution's two prestigious museums of Asian art. Your Committee further finds that the Sackler family, through Purdue Pharma, launched a multi-faceted marketing campaign that misinformed physicians about the risks of OxyContin, an opioid developed by Purdue Pharma that is at the heart of the current opioid crisis afflicting the nation. Therefore, your Committee finds that it is inappropriate for a gallery at such a prestigious institution to bear the name of a member of the Sackler family.

Your Committee has amended this measure by 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 Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 191, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.C.R. No. 191, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1171 Culture, Arts, & International Affairs on H.R. No. 158

The purpose of this measure to support and urge the international and domestic repatriation of Native Hawaiian art, cultural items, and iwi kupuna.

Your Committee received testimony in support of this measure from two individuals.

Your Committee finds that the black market trade of historic and cultural items constitutes one of the most persistent illegal trades in the world. Your Committee further finds that Native Hawaiian art, cultural items, iwi kupuna, and other historic artifacts, including the approximately five thousand items determined to be missing from Iolani Palace, have been subject to illegal theft and transfer out of the State. This measure seeks to address the loss of these important historical and cultural items by urging the international and domestic repatriation of these items.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Judiciary & Hawaiian Affairs consider this measure, your Committee respectfully requests that it consider including an appropriate representative from the European Union as a recipient of a certified copy of this measure.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 158, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.R. No. 158, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1172 Culture, Arts, & International Affairs on H.C.R. No. 189

The purpose of this measure is to support and urge the international and domestic repatriation of Native Hawaiian art, cultural items, and iwi kupuna.

Your Committee received testimony in support of this measure from four individuals.

Your Committee finds that the black market trade of historic and cultural items constitutes one of the most persistent illegal trades in the world. Your Committee further finds that Native Hawaiian art, cultural items, iwi kupuna, and other historic artifacts, including the approximately five thousand items determined to be missing from Iolani Palace, have been subject to illegal theft and transfer out of the State. This measure seeks to address the loss of these important historical and cultural items by urging the international and domestic repatriation of these items.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Judiciary & Hawaiian Affairs consider this measure, your Committee respectfully requests that it consider including an appropriate representative from the European Union as a recipient of a certified copy of this measure.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 189, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.C.R. No. 189, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1173 Culture, Arts, & International Affairs on H.R. No. 105

The purpose of this measure is to designate the first week of May as Tardive Dyskinesia Awareness Week.

Your Committee did not receive any testimony on this measure.

Your Committee finds that Tardive Dyskinesia is a serious side effect of antipsychotic medications commonly used to treat schizophrenia and other mental health conditions. Your Committee further finds that over the past three years, thirty-three states and the District of Columbia have declared the first week of May as Tardive Dyskinesia Awareness Week and that Hawaii should follow suit in order to raise awareness of this condition and encourage at-risk individuals to seek regular evaluations to recognize early signs of Tardive Dyskinesia.

Your Committee has amended this measure by 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 Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 105, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.R. No. 105, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1174 Culture, Arts, & International Affairs on H.R. No. 106

The purpose of this measure is to declare May 17, 2021, as Diffuse Intrinsic Pontine Glioma Awareness Day.

Your Committee did not receive any testimony on this measure.

Your Committee finds that diffuse intrinsic pontine glioma is a highly aggressive and difficult to treat brain tumor that typically affects the pediatric population and is usually diagnosed between the ages of five and nine years of age. These tumors are typically located in an area that does not generally allow for their surgical removal, and patients afflicted with diffuse intrinsic pontine glioma typically do not survive beyond a year after the initial diagnosis. Your Committee further finds that for the past three years, the Governor has declared May 17 as Diffuse Intrinsic Pontine Glioma Awareness Day and that this tradition should continue.

Your Committee has amended this measure by 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 Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 106, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.R. No. 106, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1175 Education on H.R. No. 13

The purpose of this measure is to convene an Act 110 Implementation Task Force to address the implementation of Hawaii's state law corollary to Title IX, in light of recent changes to federal Title IX regulations.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Planned Parenthood Votes Northwest and Hawaii, American Association of University Women of Hawaii, Hawaii Women's Coalition, Hawai'i State Democratic Women's Caucus, The Every Voice Coalition, Imua Alliance, and one individual. Your Committee received comments on this measure from the University of Hawai'i System.

Your Committee finds that, under the previous United States presidential administration, several changes were proposed to Title IX of the federal Education Amendments of 1972, which prohibits sex-based discrimination in any school that receives federal money. These changes include reducing the number of complaints involving sexual harassment and other forms of sexual misconduct that currently fall within the purview of Title IX and limit the scope of educational institutions' liability for complaints of sexual harassment.

Your Committee further finds that in response to the intended policy changes, the Legislature passed, and the Governor signed into law, Act 110, Session Laws of Hawaii 2018, which established a state law corollary to Title IX that prohibits sex-based discrimination in state-administered or state-funded educational programs or activities, including discrimination based on sexual orientation, gender identity, and gender expression. Your Committee believes that the convening of a task force is needed to examine any conflicts to Hawaii's state law corollary to any recent and future changes to the Title IX regulations to strengthen Hawaii's efforts to end campus-based sexual violence and gender discrimination.

Your Committee has amended this measure by:

- (1) Amending its title to read, "CONVENING A TASK FORCE TO ADDRESS IMPLEMENTATION OF HAWAII'S STATE LAW COROLLARY TO TITLE IX TO STRENGTHEN HAWAII'S EFFORTS TO END CAMPUS-BASED SEXUAL VIOLENCE AND GENDER DISCRIMINATION.";
- (2) Including additional statistics on the prevalence of sexual violence in the United States;
- (3) Including statistics on sexual harassment, stalking, dating violence, and nonconsensual sexual contact in the University of Hawaii System;
- (4) Convening the Act 110 Implementation Task Force to address implementation of Hawaii's state law corollary to Title IX to strengthen Hawaii's efforts to end campus-based sexual violence and gender discrimination;
- (5) Including a representative of the Prevention, Awareness, and Understanding Violence Program of the University of Hawaii System as a member of the Act 110 Implementation Task Force;
- (6) Inviting a representative of the Hawai'i Coalition to End Domestic Violence, Sex Abuse Treatment Center, and Every Voice Coalition to participate in the Act 110 Implementation Task Force;

- (7) Requesting the Act 110 Implementation Task Force to consider certain topics related to sexual violence, gender violence, and protections for transgendered students in Hawaii's public schools in its deliberations;
- (8) Requesting the Act 110 Implementation Task Force to work with student organizations to obtain feedback from survivors of campus based sexual violence in the course of its deliberations; and
- (9) 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. 13, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.R. No. 13, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Yamane).

SCRep. 1176 Education on H.C.R. No. 12

The purpose of this measure is to convene an Act 110 Implementation Task Force to address the implementation of Hawaii's state law corollary to Title IX, in light of recent changes to federal Title IX regulations.

Your Committee received testimony in support of this measure from the Department of Education, Hawai'i Civil Rights Commission, Planned Parenthood Votes Northwest and Hawaii, American Association of University Women of Hawaii, Hawaii Women's Coalition, Hawai'i State Democratic Women's Caucus, The Every Voice Coalition, Imua Alliance, and four individuals. Your Committee received comments on this measure from the University of Hawai'i System.

Your Committee finds that, under the previous United States presidential administration, several changes were proposed to Title IX of the federal Education Amendments of 1972, which prohibits sex-based discrimination in any school that receives federal money. These changes include reducing the number of complaints involving sexual harassment and other forms of sexual misconduct that currently fall within the purview of Title IX and limit the scope of educational institutions' liability for complaints of sexual harassment.

Your Committee further finds that in response to the intended policy changes, the Legislature passed, and the Governor signed into law, Act 110, Session Laws of Hawaii 2018, which established a state law corollary to Title IX that prohibits sex-based discrimination in state-administered or state-funded educational programs or activities, including discrimination based on sexual orientation, gender identity, and gender expression. Your Committee believes that the convening of a task force is needed to examine any conflicts to Hawaii's state law corollary to any recent and future changes to the Title IX regulations to strengthen Hawaii's efforts to end campus-based sexual violence and gender discrimination.

Your Committee has amended this measure by:

- (1) Amending its title to read, "CONVENING A TASK FORCE TO ADDRESS IMPLEMENTATION OF HAWAII'S STATE LAW COROLLARY TO TITLE IX TO STRENGTHEN HAWAII'S EFFORTS TO END CAMPUS-BASED SEXUAL VIOLENCE AND GENDER DISCRIMINATION.";
- (2) Including additional statistics on the prevalence of sexual violence in the United States;
- (3) Including statistics on sexual harassment, stalking, dating violence, and nonconsensual sexual contact in the University of Hawaii System;
- (4) Convening the Act 110 Implementation Task Force to address implementation of Hawaii's state law corollary to Title IX to strengthen Hawaii's efforts to end campus-based sexual violence and gender discrimination;
- (5) Including a representative of the Prevention, Awareness, and Understanding Violence Program of the University of Hawaii System as a member of the Act 110 Implementation Task Force;
- (6) Inviting a representative of the Hawai'i Coalition to End Domestic Violence, Sex Abuse Treatment Center, and Every Voice Coalition to participate in the Act 110 Implementation Task Force;
- (7) Requesting the Act 110 Implementation Task Force to consider certain topics related to sexual violence, gender violence, and protections for transgendered students in Hawaii's public schools in its deliberations;
- (8) Requesting the Act 110 Implementation Task Force to work with student organizations to obtain feedback from survivors of campus-based sexual violence in the course of its deliberations; and
- (9) 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. 12, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.C.R. No. 12, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Yamane).

SCRep. 1177 Education on H.R. No. 44

The purpose of this measure is to urge the Department of Education to request a federal waiver from standardized testing requirements for the 2020-2021 school year.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association and four individuals.

Your Committee finds that the virus known as SARS-CoV-2 causes a disease named coronavirus disease 2019 (COVID-19), which spread globally and was declared a pandemic by the World Health Organization on March 11, 2020. Your Committee further finds that the COVID-19 outbreak disrupted the public school system, leading to statewide school closures and the widespread adoption of remote learning programs by teachers, parents, and students. Your Committee believes that evaluating students based on standardized tests in light of widespread learning delays would provide an inaccurate measure of each student's academic ability. Implementation of standardized tests would also deplete school resources and funding that would be better devoted to maintaining school staffing levels, providing personal protective equipment, and delivering essential learning programs.

Your Committee notes that, as introduced, this measure may not likely pass in time for it to have an effect on the attainment of a waiver from standardized testing requirements for the 2020-2021 school year. Therefore, your Committee believes that calling on the Department of Education to reduce standardized testing in public schools, increase the use of authentic assessments that align with real-world problem-solving, and employ project-based learning would be more appropriate.

Accordingly, your Committee has amended this measure by:

- (1) Amending its title to read, "URGING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO REDUCE THE USE OF STANDARDIZED TESTING IN HAWAII'S PUBLIC EDUCATION SYSTEM."; and
- (2) Deleting its contents and inserting language that:
 - (A) Urges the Board of Education and Department of Education to reduce standardized testing in the public education system;
 - (B) Urges the Board of Education and Department of Education replace standardized testing with authentic assessments that promote critical thinking and align classroom instruction with real-world problem-solving, including assessments based on project-based learning;
 - (C) Requests the Department of Education to submit a report to the Legislature on its efforts to reduce standardized testing in public schools prior to the Regular Session of 2022; and
 - (D) Provides background information and statistics on the recent history and current status of education in Hawaii and the United States of America.

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. 44, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 44, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Okimoto). Noes, none. Excused, 1 (Ohno).

SCRep. 1178 Education on H.C.R. No. 55

The purpose of this measure is to urge the Department of Education to request a federal waiver from standardized testing requirements for the 2020-2021 school year.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association and five individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that the virus known as SARS-CoV-2 causes a disease named coronavirus disease 2019 (COVID-19), which spread globally and was declared a pandemic by the World Health Organization on March 11, 2020. Your Committee further finds that the COVID-19 outbreak disrupted the public school system, leading to statewide school closures and the widespread adoption of remote learning programs by teachers, parents, and students. Your Committee believes that evaluating students based on standardized tests in light of widespread learning delays would provide an inaccurate measure of each student's academic ability. Implementation of standardized tests would also deplete school resources and funding that would be better devoted to maintaining school staffing levels, providing personal protective equipment, and delivering essential learning programs.

Your Committee notes that, as introduced, this measure may not likely pass in time for it to have an effect on the attainment of a waiver from standardized testing requirements for the 2020-2021 school year. Therefore, your Committee believes that calling on the Department of Education to reduce standardized testing in public schools, increase the use of authentic assessments that align with real-world problem-solving, and employ project-based learning would be more appropriate.

Accordingly, your Committee has amended this measure by:

- (1) Amending its title to read, "URGING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO REDUCE THE USE OF STANDARDIZED TESTING IN HAWAII'S PUBLIC EDUCATION SYSTEM."; and
- (2) Deleting its contents and inserting language that:
 - (A) Urges the Board of Education and Department of Education to reduce standardized testing in the public education system;
 - (B) Urges the Board of Education and Department of Education replace standardized testing with authentic assessments that promote critical thinking and align classroom instruction with real-world problem-solving, including assessments based on project-based learning;
 - (C) Requests the Department of Education to submit a report to the Legislature on its efforts to reduce standardized testing in public schools prior to the Regular Session of 2022; and
 - (D) Provides background information and statistics on the recent history and current status of education in Hawaii and the United States of America.

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. 55, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 55, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Okimoto). Noes, none. Excused, 1 (Ohno).

SCRep. 1179 Education on H.R. No. 129

The purpose of this measure is to urge the Board of Education to consider Hawaii residents as part of the qualified candidate pool to serve as Superintendent of Education of Hawaii's public school system.

Your Committee did not receive any testimony on this measure.

Your Committee finds that, as the chief executive officer of Hawaii's public school system, the Superintendent of Education's responsibilities are vast, including serving as an instructional leader and administering programs of education and public instruction throughout the State. Your Committee further finds that with the current Superintendent of Education's term ending July 30, 2021, the appointment of a new Superintendent of Education to head the Department of Education is time-critical, especially given the educational, health, fiscal, and other impacts of the coronavirus on the education of students. Your Committee believes that Hawaii residents are integral to creating a pool of qualified applicants and candidates who possess the requisite organizational and leadership skills and vision to lead the Department of Education and promote and sustain instructional programs conducive to student learning and achievement and staff professional growth.

Your Committee has amended this measure by:

- (1) Amending its title to read, "URGING THE BOARD OF EDUCATION TO CONSIDER HAWAII RESIDENTS WITH EXPERIENCE SERVING IN THE POSITION OF TEACHER OR HIGHER IN HAWAII'S PUBLIC SCHOOL SYSTEM AS PART OF THE QUALIFIED CANDIDATE POOL TO SERVE AS SUPERINTENDENT OF EDUCATION OF HAWAII'S PUBLIC SCHOOL SYSTEM.";

- (2) Amending its purpose to urge the Board of Education to consider Hawaii residents with experience serving in the position of teacher or higher in Hawaii's public school system as part of the qualified candidate pool to serve as Superintendent of Education of Hawaii's public school system; 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. 129, as amended herein, and recommends that it be referred to your Committee on Labor & Tourism in the form attached hereto as H.R. No. 129, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Gates, Yamane).

SCRep. 1180 Education on H.C.R. No. 153

The purpose of this measure is to urge the Board of Education to consider Hawaii residents as part of the qualified candidate pool to serve as Superintendent of Education of Hawaii's public school system.

Your Committee received testimony in support of this measure from two individuals.

Your Committee finds that, as the chief executive officer of Hawaii's public school system, the Superintendent of Education's responsibilities are vast, including serving as an instructional leader and administering programs of education and public instruction throughout the State. Your Committee further finds that with the current Superintendent of Education's term ending July 30, 2021, the appointment of a new Superintendent of Education to head the Department of Education is time-critical, especially given the educational, health, fiscal, and other impacts of the coronavirus on the education of students. Your Committee believes that Hawaii residents are integral to creating a pool of qualified applicants and candidates who possess the requisite organizational and leadership skills and vision to lead the Department of Education and promote and sustain instructional programs conducive to student learning and achievement and staff professional growth.

Your Committee has amended this measure by:

- (1) Amending its title to read, "URGING THE BOARD OF EDUCATION TO CONSIDER HAWAII RESIDENTS WITH EXPERIENCE SERVING IN THE POSITION OF TEACHER OR HIGHER IN HAWAII'S PUBLIC SCHOOL SYSTEM AS PART OF THE QUALIFIED CANDIDATE POOL TO SERVE AS SUPERINTENDENT OF EDUCATION OF HAWAII'S PUBLIC SCHOOL SYSTEM.";
- (2) Amending its purpose to urge the Board of Education to consider Hawaii residents with experience serving in the position of teacher or higher in Hawaii's public school system as part of the qualified candidate pool to serve as Superintendent of Education of Hawaii's public school system; 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. 153, as amended herein, and recommends that it be referred to your Committee on Labor & Tourism in the form attached hereto as H.C.R. No. 153, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Gates, Yamane).

SCRep. 1181 Education on H.R. No. 43

The purpose of this measure is to urge the Department of Education to increase access to arts and cultural instruction in public schools.

Your Committee did not receive any testimony on this measure.

Your Committee finds that providing a well-rounded education to all public school students advances the economic and social health of the State.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 43 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Yamane).

SCRep. 1182 Education on H.C.R. No. 54

The purpose of this measure is to urge the Department of Education to increase access to arts and cultural instruction in public schools.

Your Committee received testimony in support of the intent of this measure from the Department of Education.

Your Committee finds that providing a well-rounded education to all public school students advances the economic and social health of the State.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 54 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Yamane).

SCRep. 1183 Education on H.R. No. 132

The purpose of this measure is to encourage the Department of Education, complex areas, and charter schools to implement school-wide restorative justice initiative practices in Hawaii's public and charter schools.

Your Committee received testimony in support of this measure from We Are One, Inc.; Hawai'i Friends of Restorative Justice; and twelve individuals.

Your Committee finds that restorative justice is a values-based approach to community building, problem solving, and conflict resolution that builds and restores relationships, creates opportunities for dialogue, repairs harm, transforms conflict, and creates equitable learning environments in schools. Studies have shown that restorative justice practices can lead to reductions in problem behavior, improvements in school climate, and increases in student achievement, attendance, and graduation rates. Your Committee believes that implementing restorative justice practices in state schools will create positive learning environments for students.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 132 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, 1 (Okimoto). Excused, 2 (Gates, Yamane).

SCRep. 1184 Education on H.C.R. No. 156

The purpose of this measure is to encourage the Department of Education, complex areas, and charter schools to implement school-wide restorative justice initiative practices in Hawaii's public and charter schools.

Your Committee received testimony in support of this measure from We Are One, Inc., and numerous individuals. Your Committee received testimony in support of the intent of this measure from the Department of Education.

Your Committee finds that restorative justice is a values-based approach to community building, problem solving, and conflict resolution that builds and restores relationships, creates opportunities for dialogue, repairs harm, transforms conflict, and creates equitable learning environments in schools. Studies have shown that restorative justice practices can lead to reductions in problem behavior, improvements in school climate, and increases in student achievement, attendance, and graduation rates. Your Committee believes that implementing restorative justice practices in state schools will create positive learning environments for students.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 156 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, 1 (Okimoto). Excused, 2 (Gates, Yamane).

SCRep. 1185 Education on H.C.R. No. 170

The purpose of this measure is to request the Department of Education to ensure that the Department's annual budget request to the Legislature include adequate funding for Hawaiian education.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network and seven individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that Hawaiian literacy and education have been critical to preserving and maintaining Hawaiian culture despite colonization, depopulation, and past epidemics. Your Committee further finds that the economic and education setbacks caused in Hawaii by the coronavirus disease 2019 (COVID-19) pandemic provide an opportunity for the State to rethink its systems of learning. Your Committee believes the budget shortfalls caused by COVID-19 make it especially critical to protect and ensure adequate funding to maintain and expand Hawaiian education.

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. 170 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 2 (Gates, Yamane).

SCRep. 1186 Education on H.R. No. 147

The purpose of this measure is to request the Department of Education to provide free menstrual products to students on all Hawaii public school campuses.

Your Committee received testimony in support of this measure from Hawaii State Teachers Association, Hawaii Women's Coalition, Planned Parenthood Votes Northwest and Hawaii, Ma'i Movement, Hawaii Women's Coalition, and seventeen individuals.

Your Committee finds that according to the nationwide survey conducted by Always of Proctor and Gamble, since the pandemic, one out of three parents are worried about their ongoing ability to afford menstrual products. Your Committee further finds that a 2016 New York City pilot program found that access to free menstrual products in public schools increased attendance by 2.4 percent, leading to a package of legislation providing free access to menstrual products for New York City's students. This measure requests the Department of Education to do the same in Hawaii's public schools.

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. 147 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 10; Ayes with Reservations (DeCoite, Okimoto). Noes, none. Excused, 2 (Gates, Yamane).

SCRep. 1187 Education on H.C.R. No. 178

The purpose of this measure is to request the Department of Education to provide free menstrual products to students on all Hawaii public school campuses.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, Gender Sexuality Alliance of 'Ilima Intermediate School, Planned Parenthood Votes Northwest and Hawaii, Hawaii State Teachers Association, Going Home Hawaii, Ma'i Movement Hawai'i, AF3IRM Hawaii, I Support The Girls Hawaii, HawaiiKidsCAN, Hawai'i Health & Harm Reduction Center, Breastfeeding Hawaii, HI Student Care Resources, Hawai'i Section of the American College of Obstetricians and Gynecologists, Hawaii Children's Action Network Speaks!, and numerous individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that according to the nationwide survey conducted by Always of Proctor and Gamble, since the pandemic, one out of three parents are worried about their ongoing ability to afford menstrual products. Your Committee further finds that a 2016 New York City pilot program found that access to free menstrual products in public schools increased attendance by 2.4 percent, leading to a package of legislation providing free access to menstrual products for New York City's students. This measure requests the Department of Education to do the same in Hawaii's public schools.

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. 178 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 10; Ayes with Reservations (DeCoite, Okimoto). Noes, none. Excused, 2 (Gates, Yamane).

SCRep. 1188 Pandemic & Disaster Preparedness on H.R. No. 76

The purpose of this measure is to request the Hawaii Emergency Management Agency to convene a Resiliency Health Disaster Task Force to develop a coordinated statewide resiliency health disaster plan.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Human Services and Hawaii Emergency Management Agency.

Your Committee finds that Hawaii is vulnerable to a wide range of economic, social, and environmental hazards that threaten the health, safety, and well-being of its people. Your Committee further finds that many of these challenges disproportionately impact low-income communities and small businesses, who are often not prepared for such events. This measure provides for the development of a coordinated statewide resiliency health disaster plan to help ensure that local residents and businesses are prepared for the impact of future health-related disasters.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 76 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 3 (McKelvey, Woodson, Yamashita).

SCRep. 1189 Pandemic & Disaster Preparedness on H.C.R. No. 91

The purpose of this measure is to request the Hawaii Emergency Management Agency to convene a Resiliency Health Disaster Task Force to develop a coordinated statewide resiliency health disaster plan.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Human Services and Hawaii Emergency Management Agency.

Your Committee finds that Hawaii is vulnerable to a wide range of economic, social, and environmental hazards that threaten the health, safety, and well-being of its people. Your Committee further finds that many of these challenges disproportionately impact low-income communities and small businesses, who are often not prepared for such events. This measure provides for the development of a coordinated statewide resiliency health disaster plan to help ensure that local residents and businesses are prepared for the impact of future health-related disasters.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 91 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 3 (McKelvey, Woodson, Yamashita).

SCRep. 1190 Pandemic & Disaster Preparedness on H.R. No. 97

The purpose of this measure is to request the Governor to convene a working group to develop recommendations for effective communications with limited English proficient persons and persons with disabilities.

Your Committee received testimony in support of this measure from the Department of Human Services, Hawai'i Friends of Civil Rights, Medical-Legal Partnership for Children in Hawai'i, Hawai'i Coalition for Immigrant Rights, Catholic Charities Hawai'i, and one individual. Your Committee received comments on this measure from the State Council on Developmental Disabilities and Office of Language Access.

Your Committee finds that approximately one in four people in the State speak another language other than English at home; and one in nine people in the State are classified as limited English proficient persons. Language access is a civil right derived from Title VI of the Civil Rights Act of 1964 and failure to ensure meaningful access to services for limited English proficient persons is a form of discrimination. Your Committee notes that the State has been repeatedly cited for its failure to provide language accessible services and that during the pandemic, Hawaii's limited English proficient community expressed concern regarding a lack of access to essential state services in a language other than English. Your Committee believes that convening a working group of stakeholders is a step in the right direction to achieving solutions to ensure meaningful access for limited English and disabled individuals.

Your Committee has amended this measure by:

- (1) Deleting language that would have requested the working group to identify necessary resources and costs;
- (2) Inserting language that requests the working group to:
 - (A) Assess the current status of communication access for persons with a disability and limited English proficient persons during natural disasters and emergencies;
 - (B) Assess the current communication needs and challenges across government entities during natural disasters and emergencies;
 - (C) Identify information technology resources and other resources and costs; and
 - (D) Identify and propose legislative solutions and submit recommendations to the Legislature; 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 Pandemic & Disaster Preparedness 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 your Committee on Finance in the form attached hereto as H.R. No. 97, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 3 (McKelvey, Woodson, Yamashita).

SCRep. 1191 Pandemic & Disaster Preparedness on H.C.R. No. 121

The purpose of this measure is to request the Governor to convene a working group to develop recommendations for effective communications with limited English proficient persons and persons with disabilities.

Your Committee received testimony in support of this measure from the Department of Human Services, Hawai'i Friends of Civil Rights, Medical-Legal Partnership for Children in Hawai'i, Hawai'i Coalition for Immigrant Rights, Catholic Charities Hawai'i, and three individuals. Your Committee received comments on this measure from the Department of Labor and Industrial Relations, State Council on Developmental Disabilities, and Office of Language Access.

Your Committee finds that approximately one in four people in the State speak another language other than English at home; and one in nine people in the State are classified as limited English proficient persons. Language access is a civil right derived from Title VI of the Civil Rights Act of 1964 and failure to ensure meaningful access to services for limited English proficient persons is a form of discrimination. Your Committee notes that the State has been repeatedly cited for its failure to provide language accessible services and that during the pandemic, Hawaii's limited English proficient community expressed concern

regarding a lack of access to essential state services in a language other than English. Your Committee believes that convening a working group of stakeholders is a step in the right direction to achieving solutions to ensure meaningful access for limited English and disabled individuals.

Your Committee has amended this measure by:

- (1) Deleting language that would have requested the working group to identify necessary resources and costs;
- (2) Inserting language that requests the working group to:
 - (A) Assess the current status of communication access for persons with a disability and limited English proficient persons during natural disasters and emergencies;
 - (B) Assess the current communication needs and challenges across government entities during natural disasters and emergencies;
 - (C) Identify information technology resources and other resources and costs; and
 - (D) Identify and propose legislative solutions and submit recommendations to the Legislature; 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 Pandemic & Disaster Preparedness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 121, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 121, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 3 (McKelvey, Woodson, Yamashita).

SCRep. 1192 Pandemic & Disaster Preparedness on H.R. No. 60

The purpose of this measure is to request the Legislative Reference Bureau to conduct a study on business liability protections related to COVID-19 related claims.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii, Retail Merchants of Hawaii, and Maui Chamber of Commerce.

Your Committee finds that the COVID-19 pandemic had a significant impact on the State's public health and economy. To address the COVID-19 pandemic, governments around the world have issued emergency proclamations and orders and placed restrictions on businesses to mitigate the spread of COVID-19. Your Committee further finds that there is currently a national debate over the need for business liability protection from COVID-19 related lawsuits. Your Committee believes that the current COVID-19 legal landscape and options related to liability protections for businesses remain unclear and a study should be done to help the State make an informed decision regarding this matter.

Your Committee notes the testimony from the Legislative Reference Bureau regarding their concern that the scope of the study may be outside of their expertise as they do not have expertise relating to business liability protections. Your Committee further notes that although the Legislative Reference Bureau expressed concerns about the lack of specificity regarding the types of business this study would cover, your Committee believes that narrowing the scope of the study and leaving the interpretation of the types of businesses covered under the study broad will allow for a more focused study, while still covering important businesses.

Your Committee has amended this measure accordingly by:

- (1) Narrowing the scope of the study; and
- (2) 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 Pandemic & Disaster Preparedness that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 60, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.R. No. 60, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 3 (McKelvey, Woodson, Yamashita).

SCRep. 1193 Pandemic & Disaster Preparedness on H.C.R. No. 71

The purpose of this measure is to request the Legislative Reference Bureau to conduct a study on business liability protections related to COVID-19 related claims.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii, Retail Merchants of Hawaii, and Maui Chamber of Commerce. Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that the COVID-19 pandemic had a significant impact on the State's public health and economy. To address the COVID-19 pandemic, governments around the world have issued emergency proclamations and orders and placed restrictions on businesses to mitigate the spread of COVID-19. Your Committee further finds that there is currently a national debate over the need for business liability protection from COVID-19 related lawsuits. Your Committee believes that the current COVID-19 legal landscape and options related to liability protections for businesses remain unclear and a study should be done to help the State make an informed decision regarding this matter.

Your Committee notes the testimony from the Legislative Reference Bureau regarding their concern that the scope of the study may be outside of their expertise as they do not have expertise relating to business liability protections. Your Committee further notes that although the Legislative Reference Bureau expressed concerns about the lack of specificity regarding the types of business this study would cover, your Committee believes that narrowing the scope of the study and leaving the interpretation of the types of businesses covered under the study broad will allow for a more focused study, while still covering important businesses.

Your Committee has amended this measure accordingly by:

- (1) Narrowing the scope of the study; and
- (2) 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 Pandemic & Disaster Preparedness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 71, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.C.R. No. 71, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 3 (McKelvey, Woodson, Yamashita).

SCRep. 1194 Pandemic & Disaster Preparedness on H.C.R. No. 3

The purpose of this measure is to recognize the importance of 21st century data governance for fact-based policymaking.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawaii Appleseed Center for Law & Economic Justice, Hawai'i Friends of Civil Rights, Hawaii Children's Action Network Speaks!, Medical-Legal Partnership, Hawai'i Coalition for Immigrant Rights, Hawai'i Public Health Institute, The Queen's Health System, and seven individuals.

Your Committee finds that the impacts of the coronavirus disease 2019 (COVID-19) pandemic has impacted the State in various ways, such as the community's health, employment, and housing security. Efforts to better understand and address the significant impacts of the pandemic on Native Hawaiians and Pacific Islanders have been stymied by insufficient and inconsistent demographic data collection, processing, retention, and sharing by and between critical government entities. This measure is an important step toward ensuring that policymaking for COVID-19 recovery efforts are based upon community-specific data that is timely, clear, and consistent.

Your Committee has amended this measure by 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 Pandemic & Disaster Preparedness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 3, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.C.R. No. 3, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 3 (McKelvey, Woodson, Yamashita).

SCRep. 1195 Pandemic & Disaster Preparedness on H.C.R. No. 130

The purpose of this measure is to request the Director of Taxation to waive penalties and interest sought from small businesses and individual taxpayers as a result of undue hardship related to the coronavirus disease 2019 (COVID-19) pandemic.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii, ILWU Local 142, and Retail Merchants of Hawaii. Your Committee received comments on this measure from the Department of Taxation.

Your Committee finds that tens of thousands of small businesses and many individual taxpayers have failed to remit their general excise tax in a timely manner or failed to set aside money to pay their income taxes during the economic and financial irregularities experienced during the COVID-19 pandemic. Your Committee further finds that the Director of Taxation has the discretionary authority to approve compromise offers requested by taxpayers who owe \$50,000 or less in taxes.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 130 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 3 (McKelvey, Woodson, Yamashita).

SCRep. 1196 Pandemic & Disaster Preparedness on H.R. No. 72

The purpose of this measure is to request the Hawaii Community Foundation to convene a working group to develop a public-private partnership model to prepare for Hawaii's post-pandemic recovery.

Your Committee received comments on this measure from the Hawaii Community Foundation.

Your Committee finds that the COVID-19 pandemic has impacted Hawaii's communities and economy in unprecedented ways and the response required public, private, and non-profit organizations to work together to provide necessary assistance to address the complexity and wide range of responses needed across the State. Your Committee further finds that multi-sector approaches during the pandemic led to significant and lasting results. This measure commits to collaborative and long-term engagement of multiple sectors of the community to develop strategies and macro-level models that the public and private sectors can embrace.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 72 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 3 (McKelvey, Woodson, Yamashita).

SCRep. 1197 Pandemic & Disaster Preparedness on H.C.R. No. 84

The purpose of this measure is to request the Hawaii Community Foundation to convene a working group to develop a public-private partnership model to prepare for Hawaii's post-pandemic recovery.

Your Committee received comments on this measure from the Legislative Reference Bureau and Hawaii Community Foundation.

Your Committee finds that the COVID-19 pandemic has impacted Hawaii's communities and economy in unprecedented ways and the response required public, private, and non-profit organizations to work together to provide necessary assistance to address the complexity and wide range of responses needed across the State. Your Committee further finds that multi-sector approaches during the pandemic led to significant and lasting results. This measure commits to collaborative and long-term engagement of multiple sectors of the community to develop strategies and macro-level models that the public and private sectors can embrace.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 84 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 3 (McKelvey, Woodson, Yamashita).

SCRep. 1198 Labor & Tourism on S.B. No. 1069

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary and

other cost adjustments, for the members of collective bargaining unit (1) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; United Public Workers, AFSCME Local 646, AFL-CIO; University of Hawai'i System; and Hawaii Health Systems Corporation.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1069, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 1199 Labor & Tourism on S.B. No. 1070

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary and other cost adjustments, for the members of collective bargaining unit (2) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and Hawaii Health Systems Corporation.

Your Committee has amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1070, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1070, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 1200 Labor & Tourism on S.B. No. 1071

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary and other cost adjustments, for the members of collective bargaining unit (3) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and Hawaii Health Systems Corporation.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1071, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 1201 Labor & Tourism on S.B. No. 1072

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary and other cost adjustments, for the members of collective bargaining unit (4) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and Hawaii Health Systems Corporation.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1072, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 1202 Labor & Tourism on S.B. No. 1073

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary and other cost adjustments, for the members of collective bargaining unit (5) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Hawaii State Teachers Association.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1073, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 1203 Labor & Tourism on S.B. No. 1074

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary and other cost adjustments, for the members of collective bargaining unit (6) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1074, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 1204 Labor & Tourism on S.B. No. 1075

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary and other cost adjustments, for the members of collective bargaining unit (7) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance, University of Hawai'i System, and University

of Hawaii Professional Assembly.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1075, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 1205 Labor & Tourism on S.B. No. 1076

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary and other cost adjustments, for the members of collective bargaining unit (8) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1076, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 1206 Labor & Tourism on S.B. No. 1077

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary and other cost adjustments, for the members of collective bargaining unit (9) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and Hawaii Health Systems Corporation.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1077, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 1207 Labor & Tourism on S.B. No. 1078

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

Your Committee received testimony in support of this measure from the Department of Budget and Finance; United Public Workers, AFSCME Local 646, AFL-CIO; University of Hawai'i System; and Hawaii Health Systems Corporation.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1078, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 1208 Labor & Tourism on S.B. No. 1079

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary and other cost adjustments, for the members of collective bargaining unit (11) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Hawaii Fire Fighters Association.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1079, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 1209 Labor & Tourism on S.B. No. 1080

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary and other cost adjustments, for the members of collective bargaining unit (13) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and Hawaii Health Systems Corporation.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1080, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 1210 Labor & Tourism on S.B. No. 1081

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary and other cost adjustments, for the members of collective bargaining unit (14) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1081, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 1211 Labor & Tourism on S.B. No. 793

The purpose of this measure is to repeal the provision allowing for employment at wages below the minimum wage for individuals with disabilities.

Your Committee received testimony in support of this measure from the Department of Health, Disability and Communication Access Board, State Council on Developmental Disabilities, Hawaii Disability Rights Center, PHOCUSED, International Longshore & Warehouse Union Local 142, National Federation of the Blind, Hawaii State Teachers Association, Imua Alliance, Democratic Party of Hawai'i Education Caucus, Young Democrats of Hawai'i, 503(c) Partners, Democratic Party of Hawaii Labor Caucus, Rainbow Family 808, and numerous individuals. Your Committee received comments on this measure from the Department of Labor and Industrial Relations and one individual.

Your Committee finds that the law allowing for workers with disabilities to be paid subminimum wages was enacted as part of the Fair Labor Standards Act in 1938 and was intended to serve as a stepping stone to full gainful employment. Your Committee further finds that subminimum wage as an employment tool is archaic and contrary to the equal worth and dignity of individuals with disabilities. Your Committee also finds that the minimum ratio of three disabled employees to one nondisabled employee proposed by this measure may have the unintended effect of creating a barrier to the entry into employment of individuals with disabilities.

Accordingly, your Committee has amended this measure by:

- (1) Changing the minimum ratio to one disabled employee for every three nondisabled employees for purposes of defining a qualified community rehabilitation program;
- (2) Uniformly referring to individuals with disabilities, rather than persons with disabilities throughout the measure;
- (3) Changing the effective date to December 25, 2040, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 793, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 793, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 1212 Agriculture on S.B. No. 338

The purpose of this measure is to enhance the State's food security by:

- (1) Requiring the Department of Agriculture to establish a five-year food hub pilot program to increase access to local food by awarding grant funding to qualified applicants seeking to establish or expand a food hub;
- (2) Requiring the Department of Agriculture to submit to the Legislature interim reports and a final report on the pilot program;
- (3) Appropriating funds for the establishment of the food hub pilot program; and
- (4) Authorizing the issuance of general obligation bonds and appropriating funds to finance critical infrastructure upgrades for the Honalo Marshalling Yard.

Your Committee received testimony in support of this measure from the Department of Agriculture; Department of Health; University of Hawai'i System; Office of Planning; Office of the Mayor of the County of Maui; Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu; Hawai'i Farm Bureau; Land Use Research Foundation of Hawaii; Artfarm808; Apollo Kauai; Zero Waste Kauai; Kauai Women's Caucus; Ulupono Initiative; Hawaii Primary Care Association; Americans for Democratic Action; Environmental Caucus of the Democratic Party of Hawai'i; Hawai'i Alliance for Progressive Action; Climate Protectors Hawaii; PlanIt; Our Revolution Hawaii; Ka Ohana O Na Pua; UH West Oahu Food+Policy Internship; Kāpili Like; Kāpili Like Hawai'i; Kaua'i Food Hub; Save Oahu Farmlands Alliance; Foresight/Policy Analysis; and numerous individuals. Your Committee received comments on this measure from the Maui Chamber of Commerce.

Your Committee finds that food hubs are centrally located facilities with a business management structure that facilitates the aggregation, storage, processing, distribution, and marketing of locally grown produce and are an integral piece of agricultural infrastructure necessary to sustain state and community efforts to double local food production.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 338, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1213 Agriculture on S.B. No. 345

The purpose of this measure is to prohibit a manufacturer from importing for profit, selling, or offering for sale in Hawaii any cosmetic for which the manufacturer knew or reasonably should have known that an animal test was conducted or contracted, by or on behalf of the manufacturer or any supplier of the manufacturer, on or after January 1, 2022.

Your Committee received testimony in support of this measure from the Hawaiian Humane Society, Down to Earth Organic and Natural, Cruelty Free International, The Humane Society of the United States, Ao Organics Hawai'i, O'o Hawaii, Pure Mana Hawaii, and four individuals. Your Committee received comments on this measure from the Department of Health, Office of Information Practices, and Retail Merchants of Hawaii.

Your Committee finds that modern cosmetic safety testing standards and practices no longer require the use of animals. These new testing methods are also more reliable, efficient, and effective. Your Committee further finds that this measure strikes a balance between a complete ban and limited exceptions to the animal testing prohibition, which exceptions recognize the realities of chemical testing commonly done around the globe.

Your Committee has amended this measure by:

- (1) Transferring the statutory placement of its substantive contents from chapter 328, Hawaii Revised Statutes, to chapter 321, Hawaii Revised Statutes;
- (2) Prohibiting animal testing for cosmetics that was conducted in a cruel manner, as identified in section 711-1108.5(1)(a), Hawaii Revised Statutes, relating to cruelty to animals in the first degree; 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 345, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 345, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1214 Agriculture on S.B. No. 489

The purpose of this measure is to increase the maximum area for each agricultural shade cloth structure, cold frame, and greenhouse that could qualify the structure for an exemption from building permit and building code requirements.

Your Committee received testimony in support of this measure from the Department of Agriculture; University of Hawai'i System; Office of Planning; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; Ulupono Initiative; Big Island Produce; and two individuals. Your Committee received comments on this measure from Aloun Farms.

Your Committee finds that increasing the maximum square footage per agricultural shade cloth structure, cold frame, and greenhouse that qualifies for exemption from building permit and building code requirements provides more flexibility in the types of structures that may be easily used for agricultural purposes, thereby supporting agricultural production in Hawaii.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 489 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1215 Agriculture on S.B. No. 1026

The purpose of this measure is to require revenue generated from diagnostic, surveillance, and other work performed by the State Veterinary Laboratory and Animal Disease Control Branch to be deposited into the Animal Industry Special Fund.

Your Committee received testimony in support of this measure from the Department of Agriculture and one individual.

Your Committee finds that adding sources of revenue, specifically fees for work performed by the State Veterinary Laboratory and Animal Disease Control Branch, will support the work of the State Veterinary Laboratory in providing testing services, disease surveillance, and laboratory services to practicing veterinarians and the State's livestock and aquaculture industries.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1026, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Todd).

SCRep. 1216 Agriculture on S.B. No. 186

The purpose of this measure is to prohibit the enforcement of a re-recorded homeowners' association restriction if the restriction prohibits bona fide agricultural uses and activities on agricultural lands.

Your Committee received testimony in support of this measure from the Office of Planning, Hawaii Farm Bureau, and Wootens Produce of Kauai. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that it is in the public interest to prohibit restrictive covenants that limit bona fide agricultural uses and activities on agricultural lands, including actions that attempt to circumvent these prohibited covenants.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 186, H.D. 1, and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Todd).

SCRep. 1217 Agriculture on S.B. No. 1297

The purpose of this measure is to extend the authorization to issue special purpose revenue bonds to assist MauiGrown Coffee, Inc., with the operation and expansion of its farm and mill.

Your Committee received testimony in support of this measure from the Department of Agriculture; Maui Chamber of Commerce; and MauiGrown Coffee, Inc. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that agriculture and the manufacturing of value-added products contribute to the economic diversification of Hawaii. This measure supports the continued growth of the coffee industry on Maui.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1297, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Todd).

SCRep. 1218 Higher Education & Technology on S.B. No. 1307

The purpose of this measure is to establish an Information Technology Modernization Program Management Office within the Office of Enterprise Technology Services to provide guidance and support to major public information technology projects of state departments and agencies and the University of Hawaii System.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services and Office of Enterprise Technology Services.

Your Committee finds that establishing an Information Technology Modernization Program Management Office will provide state departments and agencies with a central resource and guide for each major information technology project, offer best practices, and potentially help resource their modernization efforts. This measure supports ongoing efforts to enable the State to improve its technology capabilities and modernize its delivery of services and programs.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the funding for the establishment of the Information Technology Modernization Program Management Office is intended to come from a special fund that is available to the Office of Enterprise Technology Services.

As affirmed by the record of votes of the members of your Committee on Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1307, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1307, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Gates, Quinlan).

SCRep. 1219 Higher Education & Technology on S.B. No. 1222

The purpose of this measure is to:

- (1) Expand the scope of programs the Conference Center Revolving Fund may support to include conference center programs conducted by the University of Hawaii at Hilo;
- (2) Authorize the Chancellor of the University of Hawaii at Hilo or the Chancellor's designee, instead of the Dean of the College of Continuing Education and Community Service, to expend monies from the Conference Center Revolving Fund; and
- (3) Require the Chancellor of the University of Hawaii at Hilo to submit an annual report to the Legislature that accounts for all income and expenditures of the Conference Center Revolving Fund.

Your Committee received testimony in support of this measure from the University of Hawai'i System.

Your Committee finds that under existing law, the Conference Center Revolving Fund is specifically designated to the College of Continuing Education and Community Service at the University of Hawaii at Hilo. However, the College of Continuing Education and Community Service no longer exists. As such, the University of Hawaii at Hilo has been unable to expend monies in the Conference Center Revolving Fund. This measure will enable the University of Hawaii at Hilo to once again expend monies in the Conference Center Revolving Fund.

Your Committee has amended this measure by 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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1222, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1222, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Gates, Quinlan).

SCRep. 1220 Higher Education & Technology on S.B. No. 1225

The purpose of this measure is to:

- (1) Require the Chair of the Independent Audit Committee of the University of Hawaii Board of Regents to be selected in a manner consistent with the Board of Regents' Bylaws;
- (2) Limit the Board of Regents' flexibility to appoint members to the Independent Audit Committee when no member of the Board of Regents has financial expertise;
- (3) Exempt the Independent Audit Committee from public proceedings and records laws and open meetings laws during its discussions with auditors on matters that should remain confidential, and, at the Independent Audit Committee Chair's discretion, allow the discussions to be held in the absence of the University of Hawaii President or University of Hawaii Chief Financial Officer; and
- (4) Clarify the Independent Auditor's role with regard to enterprise risk management.

Your Committee received testimony in support of this measure from the Office of the Board of Regents.

Your Committee finds that the Independent Audit Committee is an advisory body that is established by the University of Hawaii Board of Regents' Bylaws and statutorily established in section 304A-321, Hawaii Revised Statutes. Your Committee finds that the existing statute may inadvertently create a situation in which the Independent Audit Committee does not have a chair, such as when the committee chair's term on the Board of Regents ends on June 30 and committee membership is pending election of a Board of Regents' chair. This measure makes the appointment of the Independent Audit Committee Chair consistent with the Board of Regents' Bylaws and makes other clarifying amendments.

Your Committee has amended this measure by 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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1225, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1225, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Gates, Quinlan).

SCRep. 1221 Water & Land on S.B. No. 772

The purpose of this measure is to:

- (1) Authorize the issuance of special number motor vehicle license plates that commemorate the importance of forest and ocean conservation, and use proceeds to fund conservation efforts for the State's beaches, nearshore environments, and forests; and

- (2) Increase initial application and renewal fees for special number plates.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Reef and Ocean Coalition, Surfrider Foundation Hawai'i Region, and two individuals.

Your Committee finds that Hawaii's forests, beaches, and waters are vital to the health and well-being of our residents. Your Committee further finds that the management of these resources needs additional funding and that providing dedicated funding sources for forest and ocean conservation will help to ensure that Hawaii's forests, beaches, and nearshore waters are adequately managed and maintained.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 772, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 772, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 1222 Energy & Environmental Protection/Water & Land on S.B. No. 367

The purpose of this measure is to waive the requirement for section 401 water quality certification for certain small-scale beach restoration projects authorized by the Department of Land and Natural Resources.

Your Committees received testimony in support of this measure from the Department of Health, Department of Land and Natural Resources, Mayor of the County of Maui, Waikiki Beach Special Improvement District Association, and Hawaii Shore and Beach Preservation Association. Your Committees received comments on this measure from one individual.

Your Committees find that it is critical for the State to promote adaptive ecosystem-based management approaches, such as beach restoration and maintenance projects, to mitigate chronic beach erosion. This measure allows for better cooperation among various governmental, private, and community stakeholders and reduces costs and administrative barriers in addressing coastal erosion and restoring critical beach resources.

Your Committees have amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 367, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 367, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

Water & Land: Ayes, 8. Noes, none. Excused, none.

SCRep. 1223 Energy & Environmental Protection on S.B. No. 347

The purpose of this measure is to prohibit the intentional release of balloons inflated with a gas that is lighter than air.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Reef and Ocean Coalition, Beach Environmental Awareness Campaign Hawai'i, The Humane Society of the United States, Pacific Whale Foundation, Hawai'i Wildlife Fund, seven individuals, and a petition signed by numerous individuals.

Your Committee finds that the release of balloons inflated with lighter-than-air gases poses a danger and nuisance to the environment, particularly to wildlife and marine animals. Many animals mistake the balloons for food, which can cause severe injury or death. This measure ensures the protection and well-being of wildlife in the State by prohibiting the release of balloons inflated with lighter-than-air gases.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 347, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 347, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1224 Energy & Environmental Protection on S.B. No. 350

The purpose of this measure is to:

- (1) Require the Department of Health to fill the vacant Division Chief staff position within the Environmental Management Division by October 1, 2021, and consider environmental justice issues when making certain assessments and determinations;
- (2) Require the Clean Water Branch of the Environmental Management Division to perform water quality testing during brown water advisories, inform the public of health risks associated with water runoff during brown water advisories, and establish an Environmental Management Division Oversight Advisory Board; and
- (3) Require the Legislative Reference Bureau to conduct a comprehensive review of the Environmental Management Division.

Your Committee received testimony in support of this measure from the Surfrider Foundation Hawaii Chapters, Mālama Maunaloa, Polanui Hiu Community Managed Makai Area, Kihei Community Association, Hui O He'e Nalu, Wastewater Alternatives and Innovations, Waiwai Ola Waterkeepers Hawaiian

Islands, Kaiola Canoe Club, Hui O Mana Ka Pu'uwai Outrigger Canoe Club, Friends of Hanauma Bay, Sierra Club of Hawai'i, Earthjustice, Center for Biological Diversity, WMPA, Windward Coalition for Community Concerns, The Makali'i Group, Friends of Maha'ulepu, Kia'i Wai O Wai'ale'ale, HAMER, Young Progressives Demanding Action Hawai'i, Hawai'i Wildlife Fund, HI Strikes Back, Windward Coalition, Surfrider Foundation - Maui Chapter, Surfrider Foundation – Oahu Chapter, and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of Health. Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that the Environmental Management Division oversees the clean air, clean water, solid and hazardous water, wastewater, and safe drinking water branches of the Department of Health. Because water quality continues to be a concern to residents and visitors, this measure seeks to ensure the continued safety and protection of the public and environment.

Your Committee has amended this measure by:

- (1) Deleting provisions that would have required the Department of Health to fill the vacant Division Chief staff position within the Environmental Management Division by October 1, 2021;
- (2) Directing the Clean Water Branch of the Environmental Management Division to continue to test water quality during brown water advisories, as practicable;
- (3) Requiring the Department of Health, in issuing health advisories during brown water advisories, to make proactive efforts to communicate brown water advisories with the public;
- (4) Deleting language that would have required the Department of Health to establish an Environmental Management Division Oversight Advisory Board;
- (5) Deleting language that would have required the Legislative Reference Bureau to:
 - (A) Conduct a comprehensive review of the Environmental Management Division's Clean Water Branch and Wastewater Branch; and
 - (B) Submit a report to the Legislature prior to the Regular Session of 2022; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 350, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 350, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1225 Education on S.B. No. 76

The purpose of this measure is to:

- (1) Require the Board of Education to prioritize for the Superintendent of Education position candidates that have the minimum qualification of ten years of employment in a department of education, with at least five of those years serving in the capacity as a principal or higher; and
- (2) Specify that a desired qualification for a candidate for the position of Superintendent of Education shall be a working understanding of the State's tri-level systems of educational administration.

Your Committee received testimony in opposition to this measure from the Board of Education and one individual. Your Committee received comments on this measure from one individual.

Your Committee finds that Hawaii has a unique education system, with the Department of Education serving as the only single statewide educational district in the United States. Hawaii is also the only state that provides all public school funding without any additional support from the counties. This unique education system requires leadership that understands the scope and distinct needs of the state public education system. This measure specifies certain qualifications needed for candidates for the Superintendent of Education position that will ensure the introduction of well-rounded candidates who understand the Department of Education system.

Your Committee has amended this measure by:

- (1) Amending the priority qualification for the Superintendent of Education position to having a minimum of ten years of employment in the Hawaii Department of Education, with at least five of those years serving in the capacity as a teacher, principal, or higher;
- (2) Changing its effective date to July 1, 2050; 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 is in accord with the intent and purpose of S.B. No. 76, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 76, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Ohno).

SCRep. 1226 Education on S.B. No. 144

The purpose of this measure is to establish and appropriate funds for a one-year school supply subsidy pilot program at Naalehu Elementary School.

Your Committee received testimony in support of the intent of this measure from the Department of Education.

Your Committee finds that Title I, Part A, of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act (Title I), provides federal financial assistance to local educational agencies and schools with high percentages of children from low-income families to help ensure educational success. Your Committee further finds that a pilot program to subsidize school supplies for schools composed entirely of students eligible for participation in Title I would be useful to identify methods for relieving the financial burden of education on low-income families and that Naalehu Elementary School is a school that fits the criteria for the pilot program. Establishing the school subsidy pilot program at Naalehu Elementary School will help in identifying methods to relieve the financial burden of education that can be applicable to families in other schools.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2051; and

(2) 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 is in accord with the intent and purpose of S.B. No. 144, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 144, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Ohno).

SCRep. 1227 Education on S.B. No. 815

The purpose of this measure is to:

- (1) Establish maintenance of effort provisions for free education in the State;
- (2) Authorize the Governor, with the concurrence of the Legislature, to temporarily suspend the maintenance of effort provisions under certain circumstances;
- (3) Establish a Public Education Stabilization Trust Fund, into which an amount of general excise tax revenues equal to the difference between the level of state appropriations to the Department of Education from the preceding fiscal year and the current fiscal year shall be deposited, if the appropriation in the current fiscal year is less than the appropriation in the preceding fiscal year;
- (4) Establish reporting requirements; and
- (5) Appropriate monies into and out of the Public Education Stabilization Trust Fund for the maintenance of effort for K-12 educational programs.

Your Committee received testimony in support of this measure from the Department of Education, State Public Charter School Commission, Democratic Party of Hawai'i Education Caucus, and one individual. Your Committee received testimony in support of the intent of this measure from the Board of Education, Hawaii State Teachers Association, Kamehameha Schools, and Special Education Advisory Council. Your Committee received testimony in opposition to this measure from the Department of Budget and Finance. Your Committee received comments on this measure from the Tax Foundation of Hawaii and Hui for Excellence in Education.

Your Committee finds that the COVID-19 pandemic has severely reduced the economic gains the State made prior to the pandemic. The State faces a dire fiscal challenge with drastic cuts to the state budget and every government service it provides, including education. Your Committee additionally finds that to ensure predictability and stability of K-12 education revenues, a commitment to a base of annual funding in the face of changing circumstances is needed to guarantee the continuous and uninterrupted equitable distribution of educational resources for all public school students.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. 611 H.D. 1, Regular Session of 2021, a substantially similar measure previously passed by the House that:
 - (A) Establishes maintenance of effort provisions for free education in the State;
 - (B) Establishes the Public Education Stabilization Trust Fund into which shall be deposited the sum from all general excise tax revenues realized by the State that represents the difference between the preceding fiscal year appropriation and the current fiscal year appropriation if appropriations to the Department of Education for the current fiscal year are less than the preceding fiscal year;
 - (C) Requires the approval of the Board of Education prior to any expenditures from the Public Education Stabilization Trust Fund; and
 - (D) Appropriates funds for the maintenance of effort for K-12 educational programs;
- (2) Changing its effective date to July 1, 2051; 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 is in accord with the intent and purpose of S.B. No. 815, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 815, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 1 (Okimoto). Excused, 1 (Ohno).

SCRep. 1228 Education on S.B. No. 1271

The purpose of this measure is to:

- (1) Establish an Early Childhood Educator Stipend Program, to be administered by the Executive Office on Early Learning, to address the shortage of qualified early childhood educators in Hawaii;
- (2) Require stipend fund repayments for the Early Childhood Educator Stipend Program to be deposited into the Early Learning Special Fund; and
- (3) Authorize the Executive Office on Early Learning to use a collection agency to secure a commission owed from a debtor.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning, Early Learning Board, State Public Charter School Commission, Democratic Party of Hawai'i Education Caucus, Early Childhood Action Strategy, Hawai'i Children's Action Network Speaks!, Kaulanakilohana, and Parents and Children Together. Your Committee received testimony in support of the intent of this measure from the Department of Human Services and University of Hawai'i at Manoa College of Education.

Your Committee finds that the need for quality early care and education far exceeds the amount of available and qualified early childhood educators. Your Committee further finds that preschool teachers are amongst the lowest paid occupations. This measure will assist with workforce development and support those individuals seeking to become high-quality early childhood educators, thereby moving the State toward reaching its goal of increasing access to high-quality early learning programs.

Your Committee notes that, per the testimony provided by the Executive Office on Early Learning and the Early Learning Board, the plan to provide funding for the establishment and implementation of the Early Childhood Educator Stipend Program is to leverage private sources of funding until the State is able to get through the COVID-19 pandemic.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2051; and
- (2) 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 is in accord with the intent and purpose of S.B. No. 1271, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1271, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Ohno).

SCRep. 1229 Economic Development on S.B. No. 797

The purpose of this measure is to:

- (1) Provide the Chief Information Officer with the authority to approve, or expedite the approval process of, a state agency's management information system project that is budgeted at or more than \$1,000,000, or any other project the Chief Information Officer deems necessary to expedite; and
- (2) Require the Chief Information Officer to annually report the status of all pending or completed projects over \$1,000,000, including whether they are on time and on budget.

Your Committee received testimony in support of this measure from Transform Hawai'i Government.

Your Committee finds that technology is an important tool for improving access to government services. By allowing certain information system projects to be expedited by the Chief Information Officer, this measure creates opportunities for economies of scale across the government system and helps to fulfill the Hawaii Information Technology Strategic Plan.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 797, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 1230 Economic Development on S.B. No. 921

The purpose of this measure is to amend the Motion Picture, Digital Media, and Film Production Income Tax Credit by:

- (1) Requiring the Department of Taxation to make a public disclosure identifying the names of the taxpayers who are receiving the tax credit and the total amount of tax credit received;
- (2) Reducing the cap amount per qualified production to \$12,000,000; and
- (3) Establishing an exception to the general prohibition against the Department of Taxation disclosing tax returns and return information.

Your Committee received testimony in opposition to this measure from Plywood Hawaii and IATSE Mixed Local 665. Your Committee received comments on this measure from the Department of Taxation; Department of Business, Economic Development, and Tourism; Island Film Group; Tax Foundation of Hawaii; Motion Picture Association; CBS Network Television Entertainment; and six individuals.

Your Committee finds that while the film industry in Hawaii is an important component of a diversified economy, it is critical to evaluate the efficacy of the Motion Picture, Digital Media, and Film Production Income Tax Credit as the State is facing serious economic challenges due to the ongoing coronavirus disease 2019 pandemic. This measure will provide further transparency for the Motion Picture, Digital Media, and Film Production Income Tax Credit, thereby ensuring stability and predictable economic incentives for the film industry and people employed in the film industry in the State.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 921, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7; Ayes with Reservations (Onishi, Okimoto). Noes, none. Excused, 1 (Belatti).

SCRep. 1231 Economic Development on S.B. No. 1053

The purpose of this measure is to expand the eligibility of organizations that may receive community-based economic development technical and financial assistance beyond community-based organizations to also include for-profit businesses.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; and Hawai'i Primary Care Association.

Your Committee finds that as the State continues to diversify its economy, it is critical that the Department of Business, Economic Development, and Tourism be allowed to provide technical and financial assistance to a larger number of organizations and businesses throughout the State. This measure would provide greater opportunities to for-profit businesses by allowing the State to be more responsive to, and better assist in the success and viability of, these businesses.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1053, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 1232 Economic Development on S.B. No. 1196

The purpose of this measure is to:

- (1) Amend the due date for employers to file the wage and tax statement from the last day of February to January 31 following the close of the calendar year; and
- (2) Impose a penalty on employers that fail to timely furnish and file the wage and tax statement.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that under existing state law, there is no penalty if an employer fails to furnish an employee with their wage and tax statement (Form W-2) or fails to file a copy of Form W-2 with the Department of Taxation. This measure would encourage further compliance with the requirements of state tax law.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1196, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 1233 Economic Development on S.B. No. 1198

The purpose of this measure is to:

- (1) Allow the Department of Taxation to mandate the electronic filing of certain partnership, S-corporation, and individual tax returns;
- (2) Requires certain tax return preparers to file returns electronically;
- (3) Amend the requirements for filing and payment of taxes by electronic funds transfer;
- (4) Require electronic funds transfers for tax return preparers and any person subject to mandatory electronic filing;
- (5) Remove the timeliness requirement from the electronic funds transfer penalty;
- (6) Remove the authority of the Department of Taxation to charge for certified copies of tax clearances;
- (7) Authorize the limited disclosure of liquor licensees' tax clearances;
- (8) Clarify the interest rate for payments made to taxpayers out of the Litigated Claims Fund; and
- (9) Expand the permissible uses of the Tax Administration Special Fund.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that electronic filing of tax returns improves accuracy, timeliness, and efficiency. This measure is intended to encourage increased usage of electronic filing by entities having the ability and sophistication to easily comply with electronic filing requirements.

Your Committee has amended this measure by 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1198, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1198, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 1234 Corrections, Military, & Veterans on H.C.R. No. 171

The purpose of this measure is to urge the Department of Public Safety to recognize the value of culture-based rehabilitation activities in the State's correctional system.

Your Committee received testimony in support of this measure from the Department of Public Safety, Ohana Ho'opakele, Native Hawaiian Legal Corporation, Kanaeokana, and four individuals.

Your Committee finds that studies have shown that the criminal justice system disproportionately impacts Native Hawaiians and that proactive policies and oversight are needed to alter that pattern. Your Committee further finds that cultural teachings such as hula and oli, the Hawaiian language, Hawaiian religious ceremonies, and other Native Hawaiian cultural practices and programs, can serve as tools for inmates to reclaim their dignity and reassert their connection to a sense of identity, and that culture-based rehabilitation activities should be encouraged and their value recognized.

Your Committee also finds that the Department of Public Safety supports this measure and indicated it would need assistance from the Office of Hawaiian Affairs and other indigenous Hawaiian groups to ensure it is taking the right path in implementing appropriate programs.

Your Committee has amended this measure by:

- (1) Changing the title to "URGING THE DEPARTMENT OF PUBLIC SAFETY TO RECOGNIZE THE VALUE OF CULTURE-BASED REHABILITATION ACTIVITIES IN THE STATE'S CORRECTIONAL SYSTEM.";
- (2) Noting the Native Hawaiian Legal Corporation's efforts in the *Davis v. Abercrombie* case to confirm the rights of Hawaii's prisoners to engage in traditional and customary practices while serving their sentences; 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 Corrections, Military, & Veterans that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 171, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 171, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 1235 Corrections, Military, & Veterans on H.R. No. 32

The purpose of this measure is to request the Department of Public Safety to allow faith pods based on kapu aloha to be established within each correctional center.

Your Committee received testimony in support of this measure from the Department of Public Safety, Malu 'Aina, Ohana Ho'opakele, and four individuals.

Your Committee finds that incarcerated individuals have initiated Hawaiian cultural programs within different correctional systems known as faith pods throughout the nation to help promote safe spaces to heal and regain their identity as Hawaiians. Your Committee further finds that Act 117, Session Laws of Hawaii 2012, sought to "[r]educe recidivism, prevent crime, and ensure long-term positive change by developing a plan to create a wellness center that

reestablishes highly recognized native Hawaiian cultural practices to restore the overall well-being of persons, families, and the native Hawaiian community". This measure supports that goal.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 32 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1236 Corrections, Military, & Veterans on H.C.R. No. 40

The purpose of this measure is to request the Department of Public Safety to allow faith pods based on kapu aloha to be established within each correctional center.

Your Committee received testimony in support of this measure from the Department of Public Safety, Malu 'Aina, Ohana Ho'opakele, and six individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that incarcerated individuals have initiated Hawaiian cultural programs within different correctional systems known as faith pods throughout the nation to help promote safe spaces to heal and regain their identity as Hawaiians. Your Committee further finds that Act 117, Session Laws of Hawaii 2012, sought to "[r]educe recidivism, prevent crime, and ensure long-term positive change by developing a plan to create a wellness center that reestablishes highly recognized native Hawaiian cultural practices to restore the overall well-being of persons, families, and the native Hawaiian community". This measure supports that goal.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 40 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1237 Corrections, Military, & Veterans on H.R. No. 28

The purpose of this measure is to urge the United States military to clean up munitions and explosives of concern in Hawaii under the Military Munitions Response Program.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Chamber of Commerce Hawaii, Our Revolution Hawaii, AlohaHawaii.org, and seventeen individuals.

Your Committee finds that Congress established the Military Munitions Response Program in 2001 to address munitions-related concerns, including explosive safety, environmental and health hazards from releases of unexploded ordnance, discarded military munitions, and munitions constituents found at locations other than operational ranges on active and Base Realignment and Closure installations and formerly used defense sites properties. Your Committee further finds that certain areas of Hawaii were used for military training exercises that resulted in large quantities of munitions and explosives being deposited on the ground. Your Committee also finds that remediation efforts should focus on restoring the land rather than rendering it inaccessible whenever possible.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 28 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (McDermott). Noes, none. Excused, none.

SCRep. 1238 Corrections, Military, & Veterans on H.C.R. No. 35

The purpose of this measure is to urge the United States military to clean up munitions and explosives of concern in Hawaii under the Military Munitions Response Program.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Malu 'Aina, Chamber of Commerce Hawaii, and six individuals.

Your Committee finds that Congress established the Military Munitions Response Program in 2001 to address munitions-related concerns, including explosive safety, environmental and health hazards from releases of unexploded ordnance, discarded military munitions, and munitions constituents found at locations other than operational ranges on active and Base Realignment and Closure installations and formerly used defense sites properties. Your Committee further finds that certain areas of Hawaii were used for military training exercises that resulted in large quantities of munitions and explosives being deposited on the ground. Your Committee also finds that remediation efforts should focus on restoring the land rather than rendering it inaccessible whenever possible.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 35 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (McDermott). Noes, none. Excused, none.

SCRep. 1239 Corrections, Military, & Veterans on H.R. No. 127

The purpose of this measure is to urge the Department of Public Safety to increase its investment in comprehensive offender reentry training programs for individuals exiting correctional facilities.

Your Committee received testimony in support of this measure from the Department of Public Safety, Young Women's Christian Association of O'ahu, American Civil Liberties Union of Hawai'i, Community Alliance on Prisons, and one individual.

Your Committee finds that the Department of Public Safety is statutorily required under part III of chapter 353H, to provide comprehensive and effective reentry planning for adults exiting correctional facilities, subject to the availability of funding. The Department is also required to notify inmates of the availability of assistance and assist inmates, upon request, to obtain their civil identification documents to aid in their reentry. Your Committee finds an increased emphasis on reentry programs by the Department is needed.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 127 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1240 Corrections, Military, & Veterans on H.C.R. No. 151

The purpose of this measure is to urge the Department of Public Safety to increase its investment in comprehensive offender reentry training programs for individuals exiting correctional facilities.

Your Committee received testimony in support of this measure from the Department of Public Safety, Young Women's Christian Association of O'ahu, American Civil Liberties Union of Hawai'i, Community Alliance on Prisons, and five individuals.

Your Committee finds that the Department of Public Safety is statutorily required under part III of chapter 353H, to provide comprehensive and effective reentry planning for adults exiting correctional facilities, subject to the availability of funding. The Department is also required to notify inmates of the availability of assistance and assist inmates, upon request, to obtain their civil identification documents to aid in their reentry. Your Committee finds an increased emphasis on reentry programs by the Department is needed.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 151 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1241 Corrections, Military, & Veterans on H.C.R. No. 172

The purpose of this measure is to request the Department of Accounting and General Services, Department of Budget and Finance, and Department of Public Safety to testify on all proposed legislation that could potentially increase the overcrowded conditions at Hawaii's correctional facilities.

Your Committee received testimony in support of this measure from the Community Alliance on Prisons and three individuals. Your Committee received comments on this measure from the Department of Public Safety and Department of Accounting and General Services.

Your Committee finds that the requested departmental participation will allow the Legislature to better understand the impact legislative proposals will have on the inmate population and related financial considerations, thereby allowing for more fully informed decisions.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 172 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, 1 (McDermott). Excused, none.

SCRep. 1242 Culture, Arts, & International Affairs on H.R. No. 150

The purpose of this measure is to request the Hawaii Sister-State Committee to evaluate and develop recommendations for the initiation of a sister-state relationship with the City of Auckland, New Zealand.

Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that the indigenous people of Hawaii and New Zealand share many similarities in their cultures and languages and that collaboration with the many Maori and Polynesian cultural institutes in New Zealand would be beneficial to Hawaii. Your Committee further finds that since 2014, Hawaii has participated in the Pasifika Festival, an annual Pacific Islands-themed festival held in Auckland, New Zealand. This measure allows the Hawaii Sister-State Committee to consider developing a sister-state relationship with Auckland, New Zealand as a means of deepening the existing cultural and economic ties between Hawaii and New Zealand.

Your Committee has amended this measure by 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 Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 150, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.R. No. 150, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1243 Culture, Arts, & International Affairs on H.C.R. No. 181

The purpose of this measure is to request the Hawaii Sister-State Committee to evaluate and develop recommendations for the initiation of a sister-state relationship with the City of Auckland, New Zealand.

Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that the indigenous people of Hawaii and New Zealand share many similarities in their cultures and languages and that collaboration with the many Maori and Polynesian cultural institutes in New Zealand would be beneficial to Hawaii. Your Committee further finds that since 2014, Hawaii has participated in the Pasifika Festival, an annual Pacific Islands-themed festival held in Auckland, New Zealand. This measure allows the Hawaii Sister-State Committee to consider developing a sister-state relationship with Auckland, New Zealand as a means of deepening the existing cultural and economic ties between Hawaii and New Zealand.

Your Committee has amended this measure by 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 Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 181, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 181, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1244 Culture, Arts, & International Affairs on H.R. No. 63

The purpose of this measure is to designate the year 2022 as the Year of the Limu.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Kua'āina Ulu 'Auamo, Ewa Limu Project, Malama

Pupukea-Waimea, Ke Kula Nui O Waimanalo, and two individuals.

Your Committee finds that limu is a critical part of a healthy and productive reef ecosystem and is particularly important to the nearshore marine food chain. Limu also holds a special place in Native Hawaiian history as a source of food and medicine and played a role in religious and cultural ceremonies. Your Committee further finds that there has been a steep decline in limu throughout the State and a general loss of knowledge about the cultural significance of limu. This measure encourages awareness of limu's role in the State's culture and marine environment.

Your Committee has amended this measure by:

- (1) Changing its title to read, "DECLARING THE YEAR 2022 AS THE YEAR OF THE LIMU.";
- (2) Inserting language recognizing the efforts of kupuna and community organizations in revitalizing and propagating limu;
- (3) Including the Chairperson of the Board of Land and Natural Resources and the Board of Directors and Limu Hui Coordinator of Kua'āina Ulu 'Auamo as recipients of certified copies of this measure; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 63, as amended herein, and recommends that it be referred to your Committee on Water & Land in the form attached hereto as H.R. No. 63, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1245 Culture, Arts, & International Affairs on H.C.R. No. 74

The purpose of this measure is to designate the year 2022 as the Year of the Limu.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Kua'āina Ulu 'Auamo; Ewa Limu Project; Kipahulu Ohana, Inc.; Kauhako Ohana Association; Malama Pupukea-Waimea; Kupa'a no Lana'i; and one individual.

Your Committee finds that limu is a critical part of a healthy and productive reef ecosystem and is particularly important to the nearshore marine food chain. Limu also holds a special place in Native Hawaiian history as a source of food and medicine and played a role in religious and cultural ceremonies. Your Committee further finds that there has been a steep decline in limu throughout the State and a general loss of knowledge about the cultural significance of limu. This measure encourages awareness of limu's role in the State's culture and marine environment.

Your Committee has amended this measure by:

- (1) Changing its title to read, "DECLARING THE YEAR 2022 AS THE YEAR OF THE LIMU.";
- (2) Inserting language recognizing the efforts of kupuna and community organizations in revitalizing and propagating limu;
- (3) Including the Chairperson of the Board of Land and Natural Resources and the Board of Directors and Limu Hui Coordinator of Kua'āina Ulu 'Auamo as recipients of certified copies of this measure; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 74, as amended herein, and recommends that it be referred to your Committee on Water & Land in the form attached hereto as H.C.R. No. 74, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1246 Judiciary & Hawaiian Affairs on H.C.R. No. 111

The purpose of this measure is to assert that racism is a public health crisis and urge the State to take steps to eliminate and recognize racial inequities.

Your Committee received testimony in support for this measure from the University of Hawaii, YWCA Oahu, Hawaii Primary Care Association, Democratic Party of Hawaii Education Caucus, Imua Alliance, Hawaii Public Health Institute, Hawaii Friends of Civil Rights, LGBT Caucus of the Democratic Party of Hawaii, Hawaii Children's Action Network Speaks!, Planned Parenthood Votes Northwest and Hawaii, Office of Hawaiian Affairs, Community Alliance on Prisons, The Queen's Health Systems, ACLU of Hawaii, and seven individuals. Your committee received comments on this measure from Common Cause Hawaii.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 111 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakamura).

SCRep. 1247 Judiciary & Hawaiian Affairs on H.R. No. 143

The purpose of this measure is to create a working group within the Department of Labor and Industrial Relations to study and make recommendations to improve immigrant access to government resources.

Your committee received testimony in support of this measure from the Office of Community Services, Medical Legal Partnership for Children in Hawaii, Hawaii Friends of Civil Rights, Ethnic Education Hawaii, Hawaii Coalition for Immigrant Rights, and four individuals.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 143 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakamura).

SCRep. 1248 Judiciary & Hawaiian Affairs on H.C.R. No. 169

The purpose of this measure is to create a working group within the Department of Labor and Industrial Relations to study and make recommendations to improve immigrant access to government resources.

Your committee received testimony in support of this measure from the Department of Labor and Industrial Relations, the Office of Community Services, Maui Economic Opportunity, Inc., Medical-Legal Partnership for Children in Hawaii, Hawaii Coalition for Immigrant Rights, Hawaii Friends of Civil Rights, Ethnic Education Hawaii, and two individuals.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 169 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Nakamura).

SCRep. 1249 Judiciary & Hawaiian Affairs on H.C.R. No. 190

The purpose of this measure is to obtain federal funding for financial, medical, and other federal assistance for migrants covered under the Compact of Free Association.

Your committee received testimony in support of this measure from Hawaii Friends of Civil Rights and from one individual.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 190 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Nakamura).

SCRep. 1250 Labor & Tourism on H.R. No. 14

The purpose of this measure is to request that the Auditor conduct a review of the efficacy of the technology resources of the Department of Labor and Industrial Relations.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs. Your Committee received comments on this measure from the Department of Labor and Industrial Relations.

Your Committee finds that unemployment insurance applications submitted during the COVID-19 pandemic are being processed on a government mainframe computer system that was installed in the early 1980s and upgraded about five years ago. Your Committee further finds that the Department of Labor and Industrial Relations has struggled to keep pace with the large increase in unemployment insurance claims over the course of the pandemic. Your Committee believes that it would be prudent to request that the Auditor review the technology resources available to the Department and make recommendations to the Legislature on how the Department may improve its services to the public and the resources needed to implement those recommendations.

Your Committee has amended this measure by:

- (1) Amending the title to read, "REQUESTING THE AUDITOR TO CONDUCT A REVIEW OF THE EFFICACY OF THE TECHNOLOGY RESOURCES OF THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS.";
- (2) Clarifying that the Department of Labor and Industrial Relations' mainframe computer system was upgraded about five years ago;
- (3) Revising the estimated time frame for a long-term fix to the computer system to 2022, rather than 2021; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 14, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 14, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 1251 Labor & Tourism on H.C.R. No. 14

The purpose of this measure is to request that the Auditor conduct a review of the efficacy of the technology resources of the Department of Labor and Industrial Relations.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs. Your Committee received comments on this measure from the Department of Labor and Industrial Relations.

Your Committee finds that unemployment insurance applications submitted during the COVID-19 pandemic are being processed on a government mainframe computer system that was installed in the early 1980s and upgraded about five years ago. Your Committee further finds that the Department of Labor and Industrial Relations has struggled to keep pace with the large increase in unemployment insurance claims over the course of the pandemic. Your Committee believes that it would be prudent to request that the Auditor review the technology resources available to the Department and make recommendations to the Legislature on how the Department may improve its services to the public and the resources needed to implement those recommendations.

Your Committee has amended this measure by:

- (1) Amending the title to read, "REQUESTING THE AUDITOR TO CONDUCT A REVIEW OF THE EFFICACY OF THE TECHNOLOGY RESOURCES OF THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS.";
- (2) Clarifying that the Department of Labor and Industrial Relations' mainframe computer system was upgraded about five years ago;
- (3) Revising the estimated time frame for a long-term fix to the computer system to 2022, rather than 2021; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 14, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 14, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 1252 Legislative Management on H.R. No. 34

The purpose of this measure is to request the Department of Accounting and General Services to defer its proposed renovations of the Hawaii State Capitol reflecting pool and dedicate its resources toward areas of the pool that require immediate repair.

Your Committee received testimony in opposition to this measure from the Department of Accounting and General Services.

Your Committee recognizes that in its current condition, the reflecting pool at the Hawaii State Capitol faces significant maintenance challenges because of inadequate water circulation, high saline content, inadequacy of the waterproofing membrane, and the sheer surface area and volume of water. Your Committee finds that because of the serious long-term financial constraints caused by the economic impact of the COVID-19 pandemic, the proposed \$30,000,000 renovation and repair of the Hawaii State Capitol reflecting pool are not tenable at this time. Your Committee requests that the Department of Accounting and General Services continue to work with the author of this measure to craft the most efficient and cost-effective manner to address repairs relating to structural and waterproofing concerns of the Hawaii State Capitol reflecting pool.

Your Committee has amended this measure by:

- (1) Changing its title to read: "REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO WORK WITH THE LEGISLATURE TO ENSURE THE MOST COST-EFFECTIVE AND EFFICIENT MANNER TO ADDRESS NECESSARY RENOVATIONS OF THE HAWAII STATE CAPITOL REFLECTING POOL."; and
- (2) 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 Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 34, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 34, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 1253 Legislative Management on H.C.R. No. 43

The purpose of this measure is to request the Department of Accounting and General Services to defer its proposed renovations of the Hawaii State Capitol reflecting pool and dedicate its resources toward areas of the pool that require immediate repair.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Department of Accounting and General Services.

Your Committee recognizes that in its current condition, the reflecting pool at the Hawaii State Capitol faces significant maintenance challenges because of inadequate water circulation, high saline content, inadequacy of the waterproofing membrane, and the sheer surface area and volume of water. Your Committee finds that because of the serious long-term financial constraints caused by the economic impact of the COVID-19 pandemic, the proposed \$30,000,000 renovation and repair of the Hawaii State Capitol reflecting pool are not tenable at this time. Your Committee requests that the Department of Accounting and General Services continue to work with the author of this measure to craft the most efficient and cost-effective manner to address repairs relating to structural and waterproofing concerns of the Hawaii State Capitol reflecting pool.

Your Committee has amended this measure by:

- (1) Changing its title to read: "REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO WORK WITH THE LEGISLATURE TO ENSURE THE MOST COST-EFFECTIVE AND EFFICIENT MANNER TO ADDRESS NECESSARY RENOVATIONS OF THE HAWAII STATE CAPITOL REFLECTING POOL."; and
- (2) 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 Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 43, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 43, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 1254 Legislative Management on H.C.R. No. 110

The purpose of this measure is to request the Auditor to update its Report No. 12-09, which assesses the social and financial effects of mandatory health insurance coverage for fertility preservation procedures for persons of reproductive age who have been diagnosed with cancer.

Your Committee received testimony in support of this measure from the Hawaii Society of Clinical Oncology, Association for Clinical Oncology, and Alliance for Fertility Preservation. Your Committee received testimony in opposition to this measure from the Hawaii Medical Service Association. Your Committee received comments on this measure from the Office of the Auditor.

Your Committee finds that certain cancers and cancer treatment procedures may affect a person's fertility by damaging their reproductive organs. Although fertility may be preserved through preservation procedures, the high cost of these procedures and the narrow window to obtain services means these procedures are unattainable for many people. Your Committee further finds that in 2012, the Legislature requested the Auditor to conduct a study to assess the social and financial impacts of mandating insurance coverage for fertility preservation procedures for persons of reproductive age who have been diagnosed with cancer and will be undergoing treatment that might adversely affect their fertility. However, because of insufficient data at the time, the Auditor was unable to assess the social and financial impacts of the proposed mandated coverage.

Your Committee believes that an update to Report No. 12-09 is necessary to properly assess the cost and viability of offering mandatory fertility preservation coverage, as such coverage may increase overall healthcare insurance costs for the entire pool of insured persons. Your Committee notes that since 2012, ten states have enacted fertility preservation coverage, and the experience in those ten other states will allow the Auditor to evaluate additional experiential data and assess actual financial impacts. Your Committee notes the Auditor's assertion that a sunrise analysis pursuant to section 23-52, Hawaii Revised Statutes, is needed to determine the social and financial impacts of the potential added coverage.

Your Committee has amended this measure by:

- (1) Clarifying that the proposed mandatory coverage would be for patients who have been diagnosed with cancer, are of reproductive age, and will be undergoing treatment that, based on a medical determination by their physicians, will most likely cause infertility;

- (2) Changing its title to read: "REQUESTING THE AUDITOR TO UPDATE ITS REPORT NO. 12-09, WHICH ASSESSES THE SOCIAL AND FINANCIAL EFFECTS OF MANDATORY HEALTH INSURANCE COVERAGE FOR FERTILITY PRESERVATION PROCEDURES FOR PERSONS OF REPRODUCTIVE AGE WHO HAVE BEEN DIAGNOSED WITH CANCER AND WILL UNDERGO TREATMENT THAT, BASED ON A MEDICAL DETERMINATION BY THE PERSON'S PHYSICIAN, WILL MOST LIKELY CAUSE INFERTILITY."; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Consumer Protection & Commerce choose to consider this measure, your Committee respectfully requests that the Committee consider whether coverage of fertility preservation procedures relates to a person's Constitutional rights, including but not limited to the fundamental right to life. Your Committee notes the ethical concerns about equitable access raised in the written testimony of the Alliance for Fertility Preservation and that because of the high cost of these procedures, only patients with sufficient financial means can access these procedures.

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. 110, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 110, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 1255 Consumer Protection & Commerce on H.R. No. 94

The purpose of this measure is to request that the Department of Commerce and Consumer Affairs reconsider its 2016 interpretation that the Money Transmitters Act applies to virtual currency companies and cryptocurrency companies, including the requirements for asset reserves and licensure.

Your Committee received testimony in support of this measure from five individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Hawaii Technology Development Corporation.

Your Committee finds that the digital currency, virtual currency, and cryptocurrency industry have undergone significant change since 2016. In 2016, the industries were still in their infancy, and regulators were still learning about the business models and uses of digital currency, virtual currency, and cryptocurrency. Today, the industry activity involves investment and speculation due to extreme price fluctuations. Licensing the digital currency, virtual currency, and cryptocurrency industry companies as money transmitters is just one of many regulator models that may be appropriate for this industry.

Your Committee further finds that the Division of Financial Institutions of the Department of Commerce and Consumer Affairs and the Hawaii Technology Development Corporation have jointly created a sandbox, called the Digital Currency Innovation Lab, to allow for some digital currency, virtual currency, and cryptocurrency industry activity to better understand the industry and determine the best method of oversight to this industry. The information gathered from the Digital Currency Innovation Lab has highlighted the wide range of business models and activities that result from the industry companies and the Division and Corporation are evaluating the complexities and diversity of the industry platforms. Preliminary information from the Digital Currency Innovation Lab is set to be analyzed this summer. Your Committee finds that the Division and Corporation should be afforded the opportunity to continue the Digital Currency Innovation Lab to gather the information necessary to make an informed policy decision as to determining the best regulatory model for the digital currency, virtual currency, and cryptocurrency industry.

Accordingly, your Committee has amended this measure by:

- (1) Specifying that reconsideration of the 2016 ruling be done after the completion of the Division of Financial Institutions' and the Hawaii Technology Development Corporation's joint study of the information gathered from the Digital Currency Innovation Lab;
- (2) Amending the title to read, "REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, FOLLOWING THE COMPLETION OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS' DIVISION OF FINANCIAL INSTITUTIONS' AND HAWAII TECHNOLOGY DEVELOPMENT CORPORATION'S STUDY, TO RECONSIDER ITS 2016 RULING ON ASSET RESERVE REQUIREMENTS FOR DIGITAL CURRENCY COMPANIES, VIRTUAL CURRENCY COMPANIES, AND CRYPTOCURRENCY COMPANIES TO CONDUCT BUSINESS IN HAWAII AND TO ALIGN THE STATE'S ASSET RESERVE REQUIREMENTS FOR THESE COMPANIES WITH THE ASSET RESERVE REQUIREMENTS IN OTHER STATES."; 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 Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 94, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 94, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 1256 Consumer Protection & Commerce on H.C.R. No. 118

The purpose of this measure is to request that the Department of Commerce and Consumer Affairs reconsider its 2016 interpretation that the Money Transmitters Act applies to virtual currency companies and cryptocurrency companies, including the requirements for asset reserves and licensure.

Your Committee received testimony in support of this measure from three individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Hawaii Technology Development Corporation.

Your Committee finds that the digital currency, virtual currency, and cryptocurrency industry have undergone significant change since 2016. In 2016, the industries were still in their infancy, and regulators were still learning about the business models and uses of digital currency, virtual currency, and cryptocurrency. Today, the industry activity involves investment and speculation due to extreme price fluctuations. Licensing the digital currency, virtual currency, and cryptocurrency industry companies as money transmitters is just one of many regulator models that may be appropriate for this industry.

Your Committee further finds that the Division of Financial Institutions of the Department of Commerce and Consumer Affairs and the Hawaii Technology Development Corporation have jointly created a sandbox, called the Digital Currency Innovation Lab, to allow for some digital currency, virtual currency, and cryptocurrency industry activity to better understand the industry and determine the best method of oversight to this industry. The information gathered from the Digital Currency Innovation Lab has highlighted the wide range of business models and activities that result from the industry companies and the Division and Corporation are evaluating the complexities and diversity of the industry platforms. Preliminary information from the Digital Currency Innovation Lab is set to be analyzed this summer. Your Committee finds that the Division and Corporation should be afforded the opportunity to continue the Digital Currency Innovation Lab to gather the information necessary to make an informed policy decision as to determining the best regulatory model for the digital currency, virtual currency, and cryptocurrency industry.

Accordingly, your Committee has amended this measure by:

- (1) Specifying that reconsideration of the 2016 ruling be done after the completion of the Division of Financial Institutions' and the Hawaii Technology Development Corporation's joint study of the information gathered from the Digital Currency Innovation Lab;
- (2) Amending the title to read, "REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, FOLLOWING THE COMPLETION OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS' DIVISION OF FINANCIAL INSTITUTIONS' AND HAWAII TECHNOLOGY DEVELOPMENT CORPORATION'S STUDY, TO RECONSIDER ITS 2016 RULING ON ASSET RESERVE REQUIREMENTS FOR DIGITAL CURRENCY COMPANIES, VIRTUAL CURRENCY COMPANIES, AND CRYPTOCURRENCY COMPANIES TO CONDUCT BUSINESS IN HAWAII AND TO ALIGN THE STATE'S ASSET RESERVE REQUIREMENTS FOR THESE COMPANIES WITH THE ASSET RESERVE REQUIREMENTS IN OTHER STATES."; 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 Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 118, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 118, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 1257 Consumer Protection & Commerce on H.R. No. 120

The purpose of this measure is to request that the Legislative Reference Bureau conduct a study of the best practices regarding "incidental and supplemental" contracting work.

Your Committee received testimony in support of this measure from the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers, Local 625, A.F.L.-C.I.O. and Iron Workers Stabilization Fund. Your Committee received testimony in opposition to this measure from the General Contractors Association of Hawaii. Your Committee received comments on this measure from the Contractors License Board and Subcontractors Association of Hawaii.

Your Committee finds that state law allows a specialty contractor to take and execute a contract involving the use of two or more crafts or trades, if the performance of the work in the crafts or trades, other than in which the specialty contractor is licensed, is incidental and supplemental to the performance of work in the craft or trade for which the specialty contractor is licensed. Your Committee further finds that the Hawaii Supreme Court has issued opinions that provided guidance in determining whether certain work is incidental and supplemental. Under existing state law, the Contractors License Board is tasked with making determinations on whether work is incidental and supplemental, which is to be consistent with the opinions of the Hawaii Supreme Court. Your Committee notes that an alternative body, rather than the Contractors License Board, may better determine without any inherent conflict of interest whether work is incidental and supplemental. This measure requests research to study other jurisdictions and their approaches for handling incidental and supplemental work.

Your Committee has amended this measure by:

- (1) Specifying that in conducting the study, the Legislative Reference Bureau is requested to obtain input from relevant national trade organizations, rather than the wide breadth of stakeholders;
- (2) Amending the title to read, "REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF BEST PRACTICES REGARDING THE PERFORMANCE OF "INCIDENTAL AND SUPPLEMENTAL" CONTRACTING WORK."; 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 Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 120, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 120, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 1258 Consumer Protection & Commerce on H.C.R. No. 141

The purpose of this measure is to request that the Legislative Reference Bureau conduct a study of the best practices regarding "incidental and supplemental" contracting work.

Your Committee received testimony in support of this measure from the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers, Local 625, A.F.L.-C.I.O. and Iron Workers Stabilization Fund. Your Committee received testimony in opposition to this measure from the General Contractors Association of Hawaii. Your Committee received comments on this measure from the Contractors License Board, Legislative Reference Bureau, and Subcontractors Association of Hawaii.

Your Committee finds that state law allows a specialty contractor to take and execute a contract involving the use of two or more crafts or trades, if the performance of the work in the crafts or trades, other than in which the specialty contractor is licensed, is incidental and supplemental to the performance of work in the craft or trade for which the specialty contractor is licensed. Your Committee further finds that the Hawaii Supreme Court has issued opinions that provided guidance in determining whether certain work is incidental and supplemental. Under existing state law, the Contractors License Board is tasked with making determinations on whether work is incidental and supplemental, which is to be consistent with the opinions of the Hawaii Supreme Court. Your Committee notes that an alternative body, rather than the Contractors License Board, may better determine without any inherent conflict of interest whether work is incidental and supplemental. This measure requests research to study other jurisdictions and their approaches for handling incidental and supplemental work.

Your Committee has amended this measure by:

- (1) Specifying that in conducting the study, the Legislative Reference Bureau is requested to obtain input from relevant national trade organizations, rather than the wide breadth of stakeholders;
- (2) Amending the title to read, "REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF BEST PRACTICES REGARDING THE PERFORMANCE OF "INCIDENTAL AND SUPPLEMENTAL" CONTRACTING WORK."; 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 Consumer Protection & Commerce 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 your Committee on Finance in the form attached hereto as H.C.R. No. 141, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 1259 Consumer Protection & Commerce on H.R. No. 156

The purpose of this measure is to request the counties to develop an option to allow residents to remit motor vehicle registration taxes and fees on a pro-rated basis and consider a moratorium for these charges.

Your Committee received testimony in support of this measure from five individuals. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that the COVID-19 pandemic and the effects of the extraordinary governmental responses to mitigate the transmission of the virus have placed a substantial financial strain on Hawaii families. Your Committee further finds that the annual taxes and fees collected for the registration of motor vehicles may be substantial and have a dire impact on low-income families. Providing for a moratorium and alternative payment plans, as requested in this measure, would alleviate the financial burden of these taxes and fees on low-income families and families impacted by the COVID-19 pandemic.

Your Committee has amended this measure by:

- (1) Amending the title to read, "REQUESTING THE COUNTIES TO DEVELOP AN OPTION TO ALLOW HAWAII RESIDENTS TO REMIT MOTOR VEHICLE REGISTRATION TAXES AND FEES ON A PRO-RATED BIENNIAL BASIS.";
- (2) Specifying that certified copies of the measure be transmitted to the Mayors of each county and Chairpersons of each county council; 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 Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 156, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 156, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Kong, Onishi). Noes, none. Excused, 1 (Aquino).

SCRep. 1260 Consumer Protection & Commerce on H.C.R. No. 187

The purpose of this measure is to request the counties to develop an option to allow residents to remit motor vehicle registration taxes and fees on a pro-rated basis and consider a moratorium for these charges.

Your Committee received testimony in support of this measure from seven individuals. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that the COVID-19 pandemic and the effects of the extraordinary governmental responses to mitigate the transmission of the virus have placed a substantial financial strain on Hawaii families. Your Committee further finds that the annual taxes and fees collected for the registration of motor vehicles may be substantial and have a dire impact on low-income families. Providing for a moratorium and alternative payment plans, as requested in this measure, would alleviate the financial burden of these taxes and fees on low-income families and families impacted by the COVID-19 pandemic.

Your Committee has amended this measure by:

- (1) Amending the title to read, "REQUESTING THE COUNTIES TO DEVELOP AN OPTION TO ALLOW HAWAII RESIDENTS TO REMIT MOTOR VEHICLE REGISTRATION TAXES AND FEES ON A PRO-RATED BIENNIAL BASIS.";
- (2) Specifying that certified copies of the measure be transmitted to the Mayors of each county and Chairpersons of each county council; 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 Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 187, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 187, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Kong, Onishi). Noes, none. Excused, 1 (Aquino).

SCRep. 1261 Education on H.R. No. 56

The purpose of this measure is to request the Department of Education to create a landscape management plan with goals to increase tree canopies on public school grounds, document existing inventory and talent, and identify additional resources required to implement and sustain the plan.

Your Committee received testimony in support of this measure from Trees for Honolulu's Future, Blue Zones Project, and three individuals.

Your Committee finds that the average temperature in Hawaii has increased over two degrees since 1950. This increase in the temperature on hot days makes it difficult for students to learn at school. Your Committee further finds that school grounds enhance student learning and success, as they offer a venue for play, outdoor learning, and social gatherings. On very hot days, these activities become uncomfortable and even unsafe. Your Committee notes that trees lower temperatures through shade, transpiration, and reduction of the heat island effect. Your Committee believes that a landscape management plan will help set and meet statewide timelines and deliverables to increase the tree canopy on school grounds 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. 56 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Quinlan).

SCRep. 1262 Education on H.C.R. No. 68

The purpose of this measure is to request the Department of Education to create a landscape management plan with goals to increase tree canopies on public school grounds, document existing inventory and talent, and identify additional resources required to implement and sustain the plan.

Your Committee received testimony in support of this measure from Trees for Honolulu's Future, Blue Zones Project, and three individuals.

Your Committee finds that the average temperature in Hawaii has increased over two degrees since 1950. This increase in the temperature on hot days makes it difficult for students to learn at school. Your Committee further finds that school grounds enhance student learning and success, as they offer a venue for play, outdoor learning, and social gatherings. On very hot days, these activities become uncomfortable and even unsafe. Your Committee notes that trees lower temperatures through shade, transpiration, and reduction of the heat island effect. Your Committee believes that a landscape management plan will help set and meet statewide timelines and deliverables to increase the tree canopy on school grounds 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. 68 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Quinlan).

SCRep. 1263 Health, Human Services, & Homelessness on H.R. No. 6

The purpose of this measure is to request that the Auditor, in consultation with the John A. Burns School of Medicine at the University of Hawaii At Manoa, conduct a study on the cumulative health effects of persistent urban noise in Honolulu.

Your Committee received comments on this measure from the Office of the Auditor.

Your Committee finds that comprehensive research has shown that there is a direct link between excessive noises and health issues such as stress-related illnesses, high blood pressure, hearing loss, and sleep disruption. Your Committee further finds that the residents of urban Honolulu experience frequent and pervasive urban noise as part of an increasingly loud urban soundscape.

Your Committee has amended this measure by:

- (1) Amending its title to read, "REQUESTING THE LEGISLATIVE REFERENCE BUREAU, IN CONSULTATION WITH THE JOHN A. BURNS SCHOOL OF MEDICINE AT THE UNIVERSITY OF HAWAII AT MANOA AND DEPARTMENT OF HEALTH, TO CONDUCT A STUDY ON THE CUMULATIVE HEALTH EFFECTS OF PERSISTENT URBAN NOISE IN HONOLULU.";
- (2) Requesting that the Legislative Reference Bureau, rather than the Auditor, conduct the study, in consultation with the John A. Burns School of Medicine at the University of Hawaii at Manoa and Department of Health;
- (3) Requesting certified copies be sent to the Director of Health, Director of the Legislative Reference Bureau, and Chairpersons of the Waikiki Neighborhood Board, Ala Moana-Kakaako Neighborhood Board, McCully-Moiliili Neighborhood Board, and Makiki-Tantalus Neighborhood Board; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 6, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.R. No. 6, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1264 Health, Human Services, & Homelessness on H.C.R. No. 4

The purpose of this measure is to request that the Auditor, in consultation with the John A. Burns School of Medicine at the University of Hawaii At Manoa, conduct a study on the cumulative health effects of persistent urban noise in Honolulu.

Your Committee received comments on this measure from the Office of the Auditor.

Your Committee finds that comprehensive research has shown that there is a direct link between excessive noises and health issues such as stress-related illnesses, high blood pressure, hearing loss, and sleep disruption. Your Committee further finds that the residents of urban Honolulu experience frequent and pervasive urban noise as part of an increasingly loud urban soundscape.

Your Committee has amended this measure by:

- (1) Amending its title to read, "REQUESTING THE LEGISLATIVE REFERENCE BUREAU, IN CONSULTATION WITH THE JOHN A. BURNS SCHOOL OF MEDICINE AT THE UNIVERSITY OF HAWAII AT MANOA AND DEPARTMENT OF HEALTH, TO CONDUCT A STUDY ON THE CUMULATIVE HEALTH EFFECTS OF PERSISTENT URBAN NOISE IN HONOLULU.";
- (2) Requesting that the Legislative Reference Bureau, rather than the Auditor, conduct the study, in consultation with the John A. Burns School of Medicine at the University of Hawaii at Manoa and Department of Health;
- (3) Requesting certified copies be sent to the Director of Health, Director of the Legislative Reference Bureau, and Chairpersons of the Waikiki Neighborhood Board, Ala Moana-Kakaako Neighborhood Board, McCully-Moiliili Neighborhood Board, and Makiki-Tantalus Neighborhood Board; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 4, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 4, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1265 Health, Human Services, & Homelessness on H.R. No. 83

The purpose of this measure is to request the Department of the Attorney General to develop and implement a program to prevent, and to assist victims of, human trafficking and child commercial sexual exploitation.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Judiciary, and Ho'ōla Nā Pua. Your Committee received comments on this measure from Harm Reduction Hawaii.

Your Committee finds that twenty-three percent of human trafficking survivors in Hawaii report that they were children when they were first sex trafficked. Your Committee further finds that human trafficking can be difficult to detect, and exploited youth may not seek help or identify themselves as victims. A victim-centered and offender-focused program in the State will help serve individuals, especially children, who have been sexually exploited.

Your Committee has amended this measure by:

- (1) Amending its title to read, "REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO DEVELOP AND IMPLEMENT A PROGRAM TO PREVENT, AND TO ASSIST VICTIMS OF, HUMAN TRAFFICKING AND CHILD COMMERCIAL SEXUAL EXPLOITATION."; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 83, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 83, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1266 Health, Human Services, & Homelessness on H.C.R. No. 100

The purpose of this measure is to request the Department of the Attorney General to develop and implement a program to prevent, and to assist victims of, human trafficking and child commercial sexual exploitation.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Judiciary, and Ho‘ōla Nā Pua. Your Committee received comments on this measure from Harm Reduction Hawaii.

Your Committee finds that twenty-three percent of human trafficking survivors in Hawaii report that they were children when they were first sex trafficked. Your Committee further finds that human trafficking can be difficult to detect, and exploited youth may not seek help or identify themselves as victims. A victim-centered and offender-focused program in the State will help serve individuals, especially children, who have been sexually exploited.

Your Committee has amended this measure by:

- (1) Amending its title to read, "REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO DEVELOP AND IMPLEMENT A PROGRAM TO PREVENT, AND TO ASSIST VICTIMS OF, HUMAN TRAFFICKING AND CHILD COMMERCIAL SEXUAL EXPLOITATION."; and
- (2) 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 Health, Human Services, & Homelessness 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 your Committee on Finance in the form attached hereto as H.C.R. No. 100, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1267 Health, Human Services, & Homelessness on H.R. No. 46

The purpose of this measure is to urge the Hawaii State Commission on the Status of Women to convene an Inter-Governmental Feminist Economic Recovery Working Group.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Planned Parenthood Votes Northwest and Hawaii, AF3IRM Hawai‘i, and two individuals. Your Committee received comments on this measure from the Department of Labor and Industrial Relations.

Your Committee finds that women have been disproportionately harmed by the economic downturn and potential cuts to government services caused by the COVID-19 pandemic. Your Committee further finds that women make up nearly two-thirds of essential frontline workers in the State and account for over fifty percent of the jobs lost since February 2020. Furthermore, many women have taken on more household and care-giving activities that prevent them from engaging in full-time paid work.

Your Committee has amended this measure by:

- (1) Designating the Executive Director of Hawaii State Commission on the Status of Women and the Director of Business, Economic Development, and Tourism, or their designees, to serve as co-chairpersons of the Inter-Governmental Feminist Economic Recovery Working Group; and
- (2) Removing the Director of Labor and Industrial Relations, or the Director's designee, from the membership on the Inter-Governmental Feminist Economic Recovery Working Group, and deleting the Director from the list of recipients who will receive certified copies of this measure; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 46, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 46, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1268 Health, Human Services, & Homelessness on H.C.R. No. 57

The purpose of this measure is to urge the Hawaii State Commission on the Status of Women to convene an Inter-Governmental Feminist Economic Recovery Working Group.

Your Committee received testimony in support of this measure from the Hawai‘i State Commission on the Status of Women, Office of Hawaiian Affairs, Planned Parenthood Votes Northwest and Hawaii, Domestic Violence Action Center, and Hawai‘i Children's Action Network Speaks!. Your Committee received comments on this measure from the Department of Labor and Industrial Relations.

Your Committee finds that women have been disproportionately harmed by the economic downturn and potential cuts to government services caused by the COVID-19 pandemic. Your Committee further finds that women make up nearly two-thirds of essential frontline workers in the State and account for over fifty percent of the jobs lost since February 2020. Furthermore, many women have taken on more household and care-giving activities that prevent them from

engaging in full-time paid work.

Your Committee has amended this measure by:

- (1) Designating the Executive Director of the Hawaii State Commission on the Status of Women and Director of Business, Economic Development, and Tourism, or their designees, to serve as co-chairpersons of the Inter-Governmental Feminist Economic Recovery Working Group;
- (2) Removing the Director of Labor and Industrial Relations, or the Director's designee, from the membership on the Inter-Governmental Feminist Economic Recovery Working Group, and deleting the Director from the list of recipients who will receive certified copies of this measure; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 57, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 57, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1269 Health, Human Services, & Homelessness on H.R. No. 67

The purpose of this measure is to request the United States Food and Drug Administration promote transparency and enforcement by immediately publishing Premarket Tobacco Product Applications.

Your Committee received testimony in support of this measure from Hawaii COPD Coalition, Coalition for a Tobacco-Free Hawai'i, and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that e-cigarettes and electronic nicotine delivery systems are aggressively marketed to vulnerable youth users. Your Committee further finds that the Food and Drug Administration required all sellers and manufacturers of new tobacco products, including e-cigarettes and electronic nicotine delivery systems, to submit a Premarket Tobacco Product Application by September 9, 2020. However, your Committee finds that, to date, only three separate entities have successfully received marketing orders since 2015, leaving a gap between current federally approved e-cigarette sellers and non-compliant sellers or non-applicants. Furthermore, to date, no e-cigarette or electronic nicotine delivery system product has been approved by the Food and Drug Administration through its six-stage process of Premarket Tobacco Product Marketing Application review.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 67 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1270 Health, Human Services, & Homelessness on H.C.R. No. 80

The purpose of this measure is to request the United States Food and Drug Administration promote transparency and enforcement by immediately publishing Premarket Tobacco Product Applications.

Your Committee received testimony in support of this measure from the Hawaii COPD Coalition, Coalition for a Tobacco-Free Hawai'i, and two individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Department of Health.

Your Committee finds that e-cigarettes and electronic nicotine delivery systems are aggressively marketed to vulnerable youth users. Your Committee further finds that the Food and Drug Administration required all sellers and manufacturers of new tobacco products, including e-cigarettes and electronic nicotine delivery systems, to submit a Premarket Tobacco Product Application by September 9, 2020. However, your Committee finds that, to date, only three separate entities have successfully received marketing orders since 2015, leaving a gap between current federally approved e-cigarette sellers and non-compliant sellers or non-applicants. Furthermore, to date, no e-cigarette or electronic nicotine delivery system product has been approved by the Food and Drug Administration through its six-stage process of Premarket Tobacco Product Marketing Application review.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 80 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1271 Health, Human Services, & Homelessness on H.R. No. 40

The purpose of this measure is to request the Department of Education to convene a working group to create a model statewide school policy on student suicide prevention, intervention, and postvention in grades K-12.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawaii Youth Services Network, Hawaii Health & Harm Reduction Center, AF3IRM Hawai'i, The Trevor Project, Sutter Health Kāhi Mōhala, and three individuals.

Your Committee finds that lesbian, gay, bisexual, transgender, and queer or questioning youth are at a higher risk of experiencing suicidal ideation or engaging in self-injury or considering suicide than their heterosexual and cisgender peers. Your Committee further finds that school personnel who interact with students on a daily basis are essential gatekeepers for recognizing warning signs of suicide and making the appropriate referrals for help.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 40 and recommends that it be referred to your Committee on Education.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1272 Health, Human Services, & Homelessness on H.C.R. No. 51

The purpose of this measure is to request the Department of Education to convene a working group to create a model statewide school policy on student suicide prevention, intervention, and postvention in grades K-12.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawaii Youth Services Network, Hawaii Health & Harm Reduction Center, Sutter Health Kāhi Mōhala, and ten individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that lesbian, gay, bisexual, transgender, and queer or questioning youth are at a higher risk of experiencing suicidal ideation or engaging in self-injury or considering suicide than their heterosexual and cisgender peers. Your Committee further finds that school personnel who interact with students on a daily basis are essential gatekeepers for recognizing warning signs of suicide and making the appropriate referrals for help.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 51 and recommends that it be referred to your Committee on Education.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1273 Water & Land on H.R. No. 135

The purpose of this measure is to urge the Department of Land and Natural Resources to work with the International Dialogue on Underwater Munitions' International Scientific and Technology Advisory Board on Underwater Munitions to seek and secure federal funding for the non-destructive disposal of thousands of tons of underwater munitions dumped, lost, or abandoned in Hawaiian waters.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, International Dialogue on Underwater Munitions, and five individuals.

Your Committee finds that decaying underwater munitions, including unexploded ordnance, pose a threat to the health and safety of humans and marine life. Your Committee further finds that coordinated efforts are needed to safely dispose of underwater munitions abandoned in Hawaiian waters while ensuring the protection of the corals and sea life and prevention of harmful algae blooms.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 135 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1274 Water & Land on H.C.R. No. 159

The purpose of this measure is to urge the Department of Land and Natural Resources to work with the International Dialogue on Underwater Munitions' International Scientific and Technology Advisory Board on Underwater Munitions to seek and secure federal funding for the non-destructive disposal of thousands of tons of underwater munitions dumped, lost, or abandoned in Hawaiian waters.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Kauai Women's Caucus, International Dialogue on Underwater Munitions, and four individuals.

Your Committee finds that decaying underwater munitions, including unexploded ordnance, pose a threat to the health and safety of humans and marine life. Your Committee further finds that coordinated efforts are needed to safely dispose of underwater munitions abandoned in Hawaiian waters while ensuring the protection of the corals and sea life and prevention of harmful algae blooms.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 159 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1275 Water & Land on H.R. No. 111

The purpose of this measure is to convene a working group to discuss future development plans in Kakaako Makai, including the identification of public lands of comparable value suitable to the Office of Hawaiian Affairs for a possible land exchange for some or all of its nine parcels in Kakaako Makai.

Your Committee received testimony in support of this measure from the Kaka'ako Makai Community Planning Advisory Council and two individuals. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs. Your Committee received comments on this measure from the O'ahu Island Parks Conservancy.

Your Committee finds that "Kakaako Makai" refers to the area within the Kakaako Development District bordered by the east side of Kewalo Basin at the Ewa end of Ala Moana Regional Park to Forrest Avenue, and from Ala Moana Boulevard to the ocean. Your Committee further finds that Act 15, Session Laws of Hawaii 2012, resulted in the conveyance of the fee simple interest of land comprising Kakaako Makai with existing improvements to the Office of Hawaiian Affairs and provided that the property shall remain under the jurisdiction and authority of the Hawaii Community Development Authority, with respect to zoning, land use conditions, and all other matters over which the Hawaii Community Development Authority has jurisdiction and authority to act. Your Committee also finds that the Office of Hawaiian Affairs seeks statutory authority to develop residential high-rise buildings on Kakaako Makai land for the benefit of Native Hawaiians.

Your Committee acknowledges the opposition of the Office of Hawaiian Affairs and the issues raised by the Office of Hawaiian Affairs in its testimony. Your Committee requests that your Committee on Judiciary & Hawaiian Affairs, should it consider this measure, examine those issues that fall under its purview.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 111 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 7; Ayes with Reservations (Ganaden). Noes, none. Excused, 1 (McDermott).

SCRep. 1276 Water & Land on H.C.R. No. 129

The purpose of this measure is to convene a working group to discuss future development plans in Kakaako Makai, including the identification of public lands of comparable value suitable to the Office of Hawaiian Affairs for a possible land exchange for some or all of its nine parcels in Kakaako Makai.

Your Committee received testimony in support of this measure from the Hawaii Community Development Authority, Friends of Kewalos, Free Access Coalition, Kaka'ako Makai Community Planning Advisory Council, and fourteen individuals. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs. Your Committee received comments on this measure from the O'ahu Island Parks Conservancy and one individual.

Your Committee finds that "Kakaako Makai" refers to the area within the Kakaako Development District bordered by the east side of Kewalo Basin at the Ewa end of Ala Moana Regional Park to Forrest Avenue, and from Ala Moana Boulevard to the ocean. Your Committee further finds that Act 15, Session Laws of Hawaii 2012, resulted in the conveyance of the fee simple interest of land comprising Kakaako Makai with existing improvements to the Office of Hawaiian Affairs and provided that the property shall remain under the jurisdiction and authority of the Hawaii Community Development Authority, with respect to zoning, land use conditions, and all other matters over which the Hawaii Community Development Authority has jurisdiction and authority to act. Your Committee also finds that the Office of Hawaiian Affairs seeks statutory authority to develop residential high-rise buildings on Kakaako Makai land for the benefit of Native Hawaiians.

Your Committee acknowledges the opposition of the Office of Hawaiian Affairs and the issues raised by the Office of Hawaiian Affairs in its testimony. Your Committee requests that your Committee on Judiciary & Hawaiian Affairs, should it consider this measure, examine those issues that fall under its purview.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 129 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Ganaden). Noes, none. Excused, 1 (McDermott).

SCRep. 1277 Water & Land on H.C.R. No. 89

The purpose of this measure to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering portions of state submerged lands at Wailea, Maui, for the existing beach access stairway fronting the Wailea Elua Village that descends from the Wailea Coastal Walk to Ulua Beach.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that a portion of an existing, wooden beach access stairway fronting the Wailea Elua Village Resorts encroaches on state submerged lands. Your Committee further finds that the Department of Land and Natural Resources has worked with the Association of Apartment Owners of Wailea Elua to resolve the encroachment by granting a twenty-five-year non-exclusive easement for the beach access stairway. Pursuant to 171-53(c), Hawaii Revised Statutes, the Legislature must grant prior authorization before state submerged lands may be leased. This measure authorizes the granting of a term, non-exclusive easement for the portion of identified state submerged lands in Wailea, Maui, that have been encroached upon by the beach access stairway.

Your Committee has amended this measure by 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 Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 89, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 89, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1278 Water & Land on H.C.R. No. 166

The purpose of this measure is to request the Board of Land and Natural Resources to amend a term, non-exclusive easement covering a portion of state submerged lands at Kapaa, Kawaihau, Kauai, for construction of a groin, small-scale beach restoration, and the use, repair, and maintenance of improvements on state submerged lands.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and seven individuals.

Your Committee finds that there is an existing shoreline encroachment consisting of a temporary emergency erosion control structure fronting property located in Kapaa, Kawaihau, Kauai. Your Committee further finds that the Department of Land and Natural Resources has worked with the property owner to resolve the encroachment by granting a term, non-exclusive easement to allow for the construction of a groin and the use, repair, and maintenance of improvements on the state submerged lands, and the grantee will be required to pay the State the fair market value of the easement. However, the Legislature must grant prior authorization before state submerged lands may be leased. This measure authorizes the granting of a term, non-exclusive easement for the portion of identified state submerged lands in Kapaa that have been encroached upon and for the construction of the groin and the use, repair, and maintenance of the improvements.

Your Committee has amended this measure by:

- (1) Amending its title to read, "AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KAPAA, KAWAIHAU, KAUAI, FOR CONSTRUCTION OF A GROIN AND FOR USE, REPAIR, AND MAINTENANCE OF THE IMPROVEMENTS CONSTRUCTED THEREON."; and
- (2) 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 Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 166, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 166, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1279 Water & Land on H.C.R. No. 103

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a perpetual, non-exclusive easement covering portions of state submerged lands at Maunaloa, Oahu, for the construction and maintenance of a rock groin on those state submerged lands, to slow the rate of sediment deposits in the entrance channel of the Hawaii Kai Marina.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and numerous individuals.

Your Committee finds that the Hawaii Kai Marina Community Association is responsible for the maintenance of the entrance channel between the privately owned Hawaii Kai Marina and Maunaloa Bay. Your Committee further finds that the Department of Land and Natural Resources has worked with the community association on a proposed project to remove the deteriorating sandbag groin on the eastern side of the entrance channel and construct a permanent rock rubble groin in its place to reduce the rate of sediment loss into the channel entrance, which in turn will reduce the number and frequency of dredging activities.

Your Committee notes that the Department of Land and Natural Resources informed your Committee that the grantee has rejected the appraised value of \$400,000 and a statutory procedure is in place to address the dispute over fair market value. The Department will request the grantee to adhere to that process. This measure provides the requisite authorization for the granting of a perpetual, non-exclusive easement for the portions of identified state submerged lands seaward of Kalanianaʻole Highway near the bridge at Maunaloa, Oahu, for the construction and maintenance of the permanent rock groin.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 103 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1280 Water & Land on H.C.R. No. 147

The purpose of this measure is to request that a working group be convened to make recommendations on flood mitigation at the intersection of East Manoa Road and Oahu Avenue.

Your Committee received testimony in support of this measure from seventeen individuals.

Your Committee finds that the intersection of East Manoa Road and Oahu Avenue in Honolulu frequently floods following a downpour and, when flooded, becomes nearly impassable to motor vehicles and hazardous to pedestrians. Your Committee further finds that these conditions may delay emergency vehicles trying to access Manoa Valley. Creating a working group to study and make recommendations on flood mitigation at this intersection will allow the Legislature to make well-considered decisions on how best to address this problem.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 147 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1281 Water & Land on H.C.R. No. 96

The purpose of this measure is to urge the Department of Facility Maintenance of the City and County of Honolulu, in conjunction with the United States Army Corps of Engineers and Department of Environmental Services of the City and County of Honolulu, to:

- (1) Immediately clean the drainage canals and streams in Kaneohe and Kailua; and
- (2) Develop recommended cleaning schedules for drainage canals and streams and regularly clean the drainage canals and streams in Kaneohe and Kailua based on this schedule.

Your Committee received testimony in support of this measure from seven individuals.

Your Committee finds that between 1915 and 2019, floods have caused more than \$225,000,000 in damage on Oahu, and that a blocked drainage canal increases the risk of frequent overbank flooding. Your Committee further finds that immediate cleaning and draining of certain canals and streams is needed in the short term due to recent heavy rain in Windward Oahu and that developing a regular schedule for maintenance of drainage canals and streams can be a tool to prevent costly damage to surrounding homes.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 96 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1282 Health, Human Services, & Homelessness on H.R. No. 8

The purpose of this measure is to urge the Legislature to address the concerns raised at the twenty-seventh Children and Youth Summit and advance pathways for the betterment of the homeless in Hawaii.

Your Committee received testimony in support of this measure from Hawaii Youth Services Network.

Your Committee finds that the Children and Youth Summit is an annual event that brings together hundreds of children throughout the State who work to identify key issues they believe the Legislature needs to address to make Hawaii a better place to live, learn, and work. Your Committee further finds that the need to help the homeless through the provision of resources, including skills development training and available housing, was one of the areas of concern identified at the twenty-seventh Children and Youth Summit.

Your Committee has amended this measure by:

- (1) Removing the President of the Senate and Speaker of the House of Representatives as recipients of certified copies of this measure; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 8, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.R. No. 8, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1283 Health, Human Services, & Homelessness on H.C.R. No. 7

The purpose of this measure is to urge the Legislature to address the concerns raised at the twenty-seventh Children and Youth Summit and advance pathways for the betterment of the homeless in Hawaii.

Your Committee received testimony in support of this measure from Hawaii Youth Services Network.

Your Committee finds that the Children and Youth Summit is an annual event that brings together hundreds of children throughout the State who work to identify key issues they believe the Legislature needs to address to make Hawaii a better place to live, learn, and work. Your Committee further finds that the need to help the homeless through the provision of resources, including skills development training and available housing, was one of the areas of concern identified at the twenty-seventh Children and Youth Summit.

Your Committee has amended this measure by:

- (1) Removing the President of the Senate and Speaker of the House of Representatives as recipients of certified copies of this measure; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 7, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.C.R. No. 7, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1284 Health, Human Services, & Homelessness on H.R. No. 12

The purpose of this measure is to request the Hawaii State Commission on the Status of Women to convene a task force to study missing and murdered Native Hawaiian women and girls.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawai'i Children's Action Network Speaks!, Ma'i Movement Hawai'i, Ho'ōla Nā Pua, and Planned Parenthood Votes Northwest and Hawaii.

Your Committee finds that indigenous women and girls have a greater risk of becoming the victims of violence than any other population in the United States and are particularly vulnerable to sex trafficking and other forms of violent crimes. Your Committee further finds that in a 2018 survey of victims of sex trafficking conducted by the Hawaii State Commission on the Status of Women in partnership with Arizona State University, seventy-seven percent of the victims were Native Hawaiian; a subsequent study conducted in 2019 found that sixty-four percent of the victims were Native Hawaiian. Additionally, your Committee finds that from 2017 to 2019, one out of every three child sex trafficking victims reported to the Child Welfare Services child sex trafficking hotline were Native Hawaiian, and ninety-five percent of the victims were girls.

Your Committee has amended this measure by 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 Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 12, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.R. No. 12, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1285 Health, Human Services, & Homelessness on H.C.R. No. 11

The purpose of this measure is to request the Hawaii State Commission on the Status of Women to convene a task force to study missing and murdered Native Hawaiian women and girls.

Your Committee received testimony in support of this measure from the Judiciary, Department of Health, Office of Hawaiian Affairs, Hawai'i State Commission on the Status of Women, Hawai'i Children's Action Network Speaks!, Planned Parenthood Votes Northwest and Hawaii, and four individuals.

Your Committee finds that indigenous women and girls have a greater risk of becoming the victims of violence than any other population in the United States and are particularly vulnerable to sex trafficking and other forms of violent crimes. Your Committee further finds that in a 2018 survey of victims of sex trafficking conducted by the Hawaii State Commission on the Status of Women in partnership with Arizona State University, seventy-seven percent of the victims were Native Hawaiian; a subsequent study conducted in 2019 found that sixty-four percent of the victims were Native Hawaiian. Additionally, your Committee finds that from 2017 to 2019, one out of every three child sex trafficking victims reported to the Child Welfare Services child sex trafficking hotline were Native Hawaiian, and ninety-five percent of the victims were girls.

Your Committee has amended this measure by 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 Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 11, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.C.R. No. 11, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1286 Health, Human Services, & Homelessness on H.R. No. 124

The purpose of this measure is to request the Department of Health to explore ways it can exercise oversight over community health centers, dental clinics, and other medical service entities when a danger to the community's health exists.

Your Committee received testimony in opposition to this measure from Molokai Ohana Health Care, Inc. Your Committee received comments on this measure from the Hawai'i Primary Care Association.

Your Committee finds that community health centers provide critical health care services in federally recognized areas where residents face barriers to obtaining health care. Your Committee further finds that the Department of Health should explore additional options to ensure there is proper oversight of community health centers or other medical service entities, so that the Department can adequately respond when incidents, such as closures due to lack of staffing at community health centers, result in a danger to the public health.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 124 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1287 Health, Human Services, & Homelessness on H.C.R. No. 148

The purpose of this measure is to request the Department of Health to explore ways it can exercise oversight over community health centers, dental clinics, and other medical service entities when a danger to the community's health exists.

Your Committee received testimony in support of this measure from the Department of Health and nine individuals. Your Committee received testimony in opposition to this measure from Ho'ōla Lāhui Hawai'i and Molokai Ohana Health Care, Inc. Your Committee received comments on this measure from

the Hawai'i Primary Care Association.

Your Committee finds that community health centers provide critical health care services in federally recognized areas where residents face barriers to obtaining health care. Your Committee further finds that the Department of Health should explore additional options to ensure there is proper oversight of community health centers or other medical service entities, so that the Department can adequately respond when incidents, such as closures due to lack of staffing at community health centers, result in a danger to the public health.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 148 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1288 Health, Human Services, & Homelessness on H.R. No. 112

The purpose of this measure is to request that the Department of Health submit a request to the Drug Enforcement Administration for an exception to federal drug laws for state-authorized use of medical cannabis, and to petition to initiate proceedings for federal rulemaking to clarify that the state-authorized use of medical cannabis does not violate the federal Controlled Substances Act.

Your Committee received testimony in support of this measure from Akamai Cannabis Clinic and Hawaii Patients Union.

Your Committee finds that because federal law prohibits the use of cannabis, including the use of medical cannabis, there is a lack of clarity between State and federal cannabis laws that has significant repercussions for medical cannabis patients and the State's medical cannabis dispensaries. Obtaining an exception from the federal Controlled Substances Act would be of great benefit to those patients and dispensaries.

Your Committee has amended this measure by:

- (1) Requiring certified copies of this measure to be sent to the Governor, Attorney General, and Hawaii's Congressional Delegation; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 112, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.R. No. 112, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1289 Health, Human Services, & Homelessness on H.C.R. No. 132

The purpose of this measure is to request that the Department of Health submit a request to the Drug Enforcement Administration for an exception to federal drug laws for state-authorized use of medical cannabis, and to petition to initiate proceedings for federal rulemaking to clarify that the state-authorized use of medical cannabis does not violate the federal Controlled Substances Act.

Your Committee received testimony in support of this measure from Akamai Cannabis Clinic, Big Island Grown, Hawaii Patients Union, and one individual. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that because federal law prohibits the use of cannabis, including the use of medical cannabis, there is a lack of clarity between State and federal cannabis laws that has significant repercussions for medical cannabis patients and the State's medical cannabis dispensaries. Obtaining an exception from the federal Controlled Substances Act would be of great benefit to those patients and dispensaries.

Your Committee has amended this measure by:

- (1) Requiring certified copies of this measure to be sent to the Governor, Attorney General, and Hawaii's Congressional Delegation; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 132, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.C.R. No. 132, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1290 Health, Human Services, & Homelessness on H.C.R. No. 85

The purpose of this measure is to request that the Legislative Reference Bureau conduct a study on the State's authority to allow collective negotiation between physicians and health care insurers in Hawaii to restrain or balance the monopsonistic market power of health care insurers over independent physicians.

Your Committee received testimony in support of this measure from the Hawaii Physician Shortage Crisis Task Force; Health Committee of the Democratic Party of Hawai'i; Joyful Living, LLC; Hawaii Medical Association; and eight individuals. Your Committee received testimony in opposition to this measure from the Hawaii Medical Service Association. Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that the existing physician shortage in Hawaii has been exacerbated by the COVID-19 pandemic, with shortages of twenty percent on Oahu, fifty-three percent in Hawaii County, forty-two percent in Maui County, and thirty-three percent on Kauai. Your Committee further finds that one of the primary barriers in the State's inability to recruit and retain physicians is the relatively low level of physician compensation in the State, which is not competitive nationally and stems from the State's highly concentrated health insurance market. Permitting physicians to engage in collective negotiation is one way to encourage competition in the health care market. Your Committee notes that in 2009, Alaska determined that permitting physicians to collectively negotiate with health plans is consistent with the Parker immunity doctrine and passed a law permitting physicians to engage in collective negotiation with health benefit plans.

Your Committee has amended this measure by:

- (1) Inserting language recognizing the exacerbating effects of the COVID-19 pandemic on the State's physician shortage crisis;
- (2) Removing the request that the Legislative Reference Bureau include an analysis of the 2009 Alaska law and its impact on the State's Prepaid Health Care Act exemption from the federal Employee Retirement Income Security Act of 1974 in the study requested by this measure;

- (3) Removing the Senate President and Speaker of the House of Representatives as recipients of certified copies of this measure; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 85, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 85, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1291 Health, Human Services, & Homelessness on H.C.R. No. 86

The purpose of this measure is to request that the Auditor, Hawaii Employer-Union Health Benefits Trust Fund, and Med-QUEST Division of the Department of Human Services provide information to the Legislature regarding the costs and benefits of relying on a single provider to fulfill prescription medication.

Your Committee received comments on this measure from the Department of Human Services, Board of Trustees of the Hawaii Employer-Union Health Benefits Trust Fund, and Office of the Auditor.

Your Committee finds that the Hawaii Employer-Union Health Benefits Trust Fund (Trust Fund) recently executed a contract that provides for only a single United States mainland-based pharmacy provider to fulfill pharmacy benefits for Trust Fund members enrolled in Preferred Provider Organization plans. Your Committee further finds that this contract may have significant adverse consequences, including forcing smaller community pharmacies to lose business, increasing costs to Trust Fund members who live in areas that do not have convenient access to the single provider.

Your Committee has amended this measure by:

- (1) Inserting language clarifying the Trust Fund's contract for pharmacy benefits for its beneficiaries and the ability of Trust Fund beneficiaries to fill prescriptions across the State;
- (2) Removing language discussing the impact of the Trust Fund's contract with a pharmacy benefit manager on smaller community pharmacies;
- (3) Clarifying that the Trust Fund is urged to request pharmacy providers to provide certain information to the Trust Fund on medication dispensed to Trust Fund beneficiaries;
- (4) Clarifying that the Med-QUEST Division of the Department of Human Services, rather than pharmacy providers, is urged to collect certain information on medication dispensed to Med-QUEST beneficiaries by pharmacy providers; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 86, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 86, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1292 Health, Human Services, & Homelessness on H.R. No. 126

The purpose of this measure is to urge the Department of Commerce and Consumer Affairs to amend the appropriate Hawaii Administrative Rules to prohibit registered nurses from delegating the interpretation of diagnostic laboratory results to unlicensed assistive personnel.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Board of Nursing and Hawai'i State Center for Nursing.

Your Committee finds that registered nurses are permitted to delegate certain nursing care tasks, functions, and activities to unlicensed assistive personnel so long as the delegation complies with applicable state and federal laws and does not include the practice-pervasive functions of assessment, evaluation, and nursing judgment. Your Committee further finds that medical diagnostic errors occur in all areas of medical practice, with approximately twelve million people in the United States affected by medical diagnostic errors every year. Although national guidelines prohibit nurses from delegating activities that involve nursing judgment or critical decision making, your Committee finds that this type of delegation is not explicitly prohibited in the relevant Hawaii Administrative Rules.

Your Committee has amended this measure by:

- (1) Changing its title to read: "URGING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REVISIT TITLE 16, CHAPTER 89, OF THE HAWAII ADMINISTRATIVE RULES TO PROHIBIT REGISTERED NURSES FROM DELEGATING THE INTERPRETATION OF DIAGNOSTIC LABORATORY RESULTS TO UNLICENSED ASSISTIVE PERSONNEL.";
- (2) Including the Governor as a recipient of a certified copy of this measure; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 126, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.R. No. 126, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1293 Health, Human Services, & Homelessness on H.C.R. No. 150

The purpose of this measure is to urge the Department of Commerce and Consumer Affairs to amend the appropriate Hawaii Administrative Rules to prohibit registered nurses from delegating the interpretation of diagnostic laboratory results to unlicensed assistive personnel.

Your Committee received testimony in support of this measure from three individuals. Your Committee received comments on this measure from the Board of Nursing and Hawai'i State Center for Nursing.

Your Committee finds that registered nurses are permitted to delegate certain nursing care tasks, functions, and activities to unlicensed assistive personnel so long as the delegation complies with applicable state and federal laws and does not include the practice-pervasive functions of assessment, evaluation, and

nursing judgment. Your Committee further finds that medical diagnostic errors occur in all areas of medical practice, with approximately twelve million people in the United States affected by medical diagnostic errors every year. Although national guidelines prohibit nurses from delegating activities that involve nursing judgment or critical decision making, your Committee finds that this type of delegation is not explicitly prohibited in the relevant Hawaii Administrative Rules.

Your Committee has amended this measure by:

- (1) Changing its title to read: "URGING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REVISIT TITLE 16, CHAPTER 89, OF THE HAWAII ADMINISTRATIVE RULES TO PROHIBIT REGISTERED NURSES FROM DELEGATING THE INTERPRETATION OF DIAGNOSTIC LABORATORY RESULTS TO UNLICENSED ASSISTIVE PERSONNEL.";
- (2) Including the Governor as a recipient of a certified copy of this measure; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 150, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 150, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1294 Health, Human Services, & Homelessness on H.R. No. 48

The purpose of this measure is to recognize and support the ongoing collaborative efforts of state agencies and private organizations to implement a statewide strategy to eliminate viral hepatitis types A, B, and C in Hawaii.

Your Committee received testimony in support of this measure from the Hawaii Health & Harm Reduction Center, AF3IRM Hawai'i, Times Pharmacy, Hep Free Hawaii, Micronesian Education for Liver Wellness Program, Hawai'i Public Health Association, and seventeen individuals.

Your Committee finds that viral hepatitis types B and C have been linked to cirrhosis and liver cancer, diseases that affect the State's residents at disproportionately high rates. Approximately sixty-three thousand people in Hawaii are living with some type of viral hepatitis, many of whom may be unaware that they are infected. Populations that are more at-risk of developing viral hepatitis include indigenous people, incarcerated persons, veterans, those experiencing homelessness, those who are pregnant, African Americans, and members of the lesbian, gay, bisexual, transgender, and queer or questioning communities. Your Committee further finds that the State is currently engaged in proactive measures to eliminate viral hepatitis in underserved and at-risk communities through a variety of services, such as expanding Med-QUEST coverage, offering syringe service programs, identifying and supporting foreign-born women and families at high risk of contracting hepatitis B, and immunizing homeless communities against hepatitis A.

Your Committee has amended this measure by:

- (1) Requesting the House Committee on Health, Human Services, and Homelessness and Senate Committee on Health to convene a second informational briefing before the start of the Regular Session of 2022 at which the Executive Director of Hep Free Hawaii is urged to offer proposed legislation for the Regular Session of 2022; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 48, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 48, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1295 Health, Human Services, & Homelessness on H.C.R. No. 59

The purpose of this measure is to recognize and support the ongoing collaborative efforts of state agencies and private organizations to implement a statewide strategy to eliminate viral hepatitis types A, B, and C in Hawaii.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Island HIV/AIDS Foundation, Times Pharmacy, Hawaii Health & Harm Reduction Center, Hep Free Hawaii, Hawai'i Public Health Association, and numerous individuals.

Your Committee finds that viral hepatitis types B and C have been linked to cirrhosis and liver cancer, diseases that affect the State's residents at disproportionately high rates. Approximately sixty-three thousand people in Hawaii are living with some type of viral hepatitis, many of whom may be unaware that they are infected. Populations that are more at-risk of developing viral hepatitis include indigenous people, incarcerated persons, veterans, those experiencing homelessness, those who are pregnant, African Americans, and members of the lesbian, gay, bisexual, transgender, and queer or questioning communities. Your Committee further finds that the State is currently engaged in proactive measures to eliminate viral hepatitis in underserved and at-risk communities through a variety of services, such as expanding Med-QUEST coverage, offering syringe service programs, identifying and supporting foreign-born women and families at high risk of contracting hepatitis B, and immunizing homeless communities against hepatitis A.

Your Committee has amended this measure by:

- (1) Requesting the House Committee on Health, Human Services, and Homelessness and Senate Committee on Health to convene a second informational briefing before the start of the Regular Session of 2022 at which the Executive Director of Hep Free Hawaii is urged to offer proposed legislation for the Regular Session of 2022; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 59, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 59, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1296 Health, Human Services, & Homelessness on H.R. No. 138

The purpose of this measure is to request that the Department of Health, via the Behavioral Risk Factor Surveillance System, and the Department of Education, via the Youth Risk Behavior Surveillance System, collect information on the sex, sexual orientation, and gender identity and gender expression of respondents.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network, Hawaii Health & Harm Reduction Center, AF3IRM Hawai'i, Planned Parenthood Votes Northwest and Hawaii, The Trevor Project, and twelve individuals.

Your Committee finds that data published by the Department of Health indicates that lesbian, gay, bisexual, transgender, or queer or questioning children and youth in Hawaii have higher rates of isolation, depression, suicidal ideations or attempts, substance use and misuse, homelessness, and sexual and intimate partner violence. Your Committee further finds that the Youth Risk Behavior Surveillance System is a joint effort by the Departments of Health and Education for the monitoring of the health of Hawaii's youth population and that data collected by the Youth Risk Behavior Surveillance System on the sex, sexual orientation, and gender identity and gender expression of respondents will be invaluable in maintaining the health and needs of the State's lesbian, gay, bisexual, transgender, or queer or questioning children and youth.

Your Committee has amended this measure by:

- (1) Inserting language recognizing that lesbian, gay, bisexual, transgender, queer or questioning, and intersex youth, particularly those of color, are historically overrepresented in juvenile detention and correctional facilities in the juvenile system;
- (2) Inserting language requesting that the Department of Human Services be included in the data collection on the sex, sexual orientation, and gender identity and gender expression of respondents;
- (3) Inserting language requesting that the data collected include the sex, sexual orientation, gender identity and gender expression of respondents who are under the supervision of the courts and the Hawaii Youth Correctional Facility;
- (4) Inserting language requesting that the Department of Public Safety work with the Sexual and Gender Minority Workgroup within the Department of Health to ensure that the data collected is administered in accordance with lesbian, gay, bisexual, transgender, queer or questioning, and intersex data collection best practices;
- (5) Changing its title to read, "REQUESTING THE DEPARTMENT OF HUMAN SERVICES; DEPARTMENT OF HEALTH, VIA THE BEHAVIORAL RISK FACTOR SURVEILLANCE SYSTEM; AND DEPARTMENT OF EDUCATION, VIA THE YOUTH RISK BEHAVIOR SURVEILLANCE SYSTEM, TO COLLECT INFORMATION ON THE SEX, SEXUAL ORIENTATION, AND GENDER IDENTITY AND GENDER EXPRESSION OF RESPONDENTS, INCLUDING RESPONDENTS WHO ARE UNDER THE SUPERVISION OF THE COURTS AND THE HAWAII YOUTH CORRECTIONAL FACILITY."; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 138, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 138, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1297 Health, Human Services, & Homelessness on H.C.R. No. 162

The purpose of this measure is to request that the Department of Health, via the Behavioral Risk Factor Surveillance System, and the Department of Education, via the Youth Risk Behavior Surveillance System, collect information on the sex, sexual orientation, and gender identity and gender expression of respondents.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network, Hawaii Health & Harm Reduction Center, LGBT Caucus of the Democratic Party of Hawai'i, Planned Parenthood Votes Northwest and Hawaii, and fourteen individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that data published by the Department of Health indicates that lesbian, gay, bisexual, transgender, or queer or questioning children and youth in Hawaii have higher rates of isolation, depression, suicidal ideations or attempts, substance use and misuse, homelessness, and sexual and intimate partner violence. Your Committee further finds that the Youth Risk Behavior Surveillance System is a joint effort by the Departments of Health and Education for the monitoring of the health of Hawaii's youth population and that data collected by the Youth Risk Behavior Surveillance System on the sex, sexual orientation, and gender identity and gender expression of respondents will be invaluable in maintaining the health and needs of the State's lesbian, gay, bisexual, transgender, or queer or questioning children and youth.

Your Committee has amended this measure by:

- (1) Inserting language recognizing that lesbian, gay, bisexual, transgender, queer or questioning, and intersex youth, particularly those of color, are historically overrepresented in juvenile detention and correctional facilities in the juvenile system;
- (2) Inserting language requesting that the Department of Human Services be included in the data collection on the sex, sexual orientation, and gender identity and gender expression of respondents;
- (3) Inserting language requesting that the data collected include the sex, sexual orientation, gender identity and gender expression of respondents who are under the supervision of the courts and the Hawaii Youth Correctional Facility;
- (4) Inserting language requesting that the Department of Public Safety work with the Sexual and Gender Minority Workgroup within the Department of Health to ensure that the data collected is administered in accordance with lesbian, gay, bisexual, transgender, queer or questioning, and intersex data collection best practices;
- (5) Changing its title to read, "REQUESTING THE DEPARTMENT OF HUMAN SERVICES; DEPARTMENT OF HEALTH, VIA THE BEHAVIORAL RISK FACTOR SURVEILLANCE SYSTEM; AND DEPARTMENT OF EDUCATION, VIA THE YOUTH RISK BEHAVIOR SURVEILLANCE SYSTEM, TO COLLECT INFORMATION ON THE SEX, SEXUAL ORIENTATION, AND GENDER IDENTITY AND GENDER EXPRESSION OF RESPONDENTS, INCLUDING RESPONDENTS WHO ARE UNDER THE SUPERVISION OF THE COURTS AND THE HAWAII YOUTH CORRECTIONAL FACILITY."; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 162, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 162, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1298 Water & Land on H.R. No. 139

The purpose of this measure is to request the Board of Land and Natural Resources to enter into a long-term water lease with the Wai'oli Valley Taro Hui for their existing use of water from Wai'oli Stream via direct negotiation, upon completion of the environmental impact statement process.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Mayor of the County of Kaua'i, a member of the Kaua'i County Council, Hanalei Watershed Hui, National Tropical Botanical Garden, Po'ai Wai Ola/West Kauai Watershed Alliance, Wai'oli Valley Taro Hui, Hanalei Hawaiian Civic Club, Sierra Club of Hawai'i, Hawaiian Islands Land Trust dba Hawai'i Land Trust, The Waipā Foundation, and numerous individuals.

Your Committee finds that the traditional and customary practice of kalo cultivation in Wai'oli Valley deserves protection. Your Committee further finds that the Board of Land and Natural Resources, in unanimously approving a perpetual easement for the Wai'oli Valley Taro Hui to continue to use and maintain its traditional lo'i kalo irrigation system, demonstrated its support for the Hui's stewardship and traditional and sustainable practices. Your Committee also finds that the Department of Land and Natural Resources is continuing to work with the Hui to complete the water leasing process pursuant to section 171-58, Hawaii Revised Statutes, which requires among other conditions, prior authorization of the Legislature by concurrent resolution.

Your Committee has amended this measure by:

- (1) Amending its title to read, "REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO ENTER INTO A LONG-TERM WATER LEASE WITH WAI'OLI VALLEY TARO HUI FOR THE HUI'S EXISTING USE OF WATER FROM WAI'OLI STREAM VIA DIRECT NEGOTIATION, UPON COMPLETION OF THE REQUIREMENTS OF CHAPTER 343, HAWAII REVISED STATUTES."; and
- (2) 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 Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 139, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.R. No. 139, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1299 Water & Land on H.C.R. No. 163

The purpose of this measure is to request the Board of Land and Natural Resources to enter into a long-term water lease with the Wai'oli Valley Taro Hui for their existing use of water from Wai'oli Stream via direct negotiation, upon completion of the environmental impact statement process.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Mayor of the County of Kaua'i, a member of the Kaua'i County Council, Hanalei Watershed Hui, National Tropical Botanical Garden, Po'ai Wai Ola/West Kauai Watershed Alliance, Wai'oli Valley Taro Hui, Hanalei Hawaiian Civic Club, Sierra Club of Hawai'i, Hawaiian Islands Land Trust dba Hawai'i Land Trust, The Waipā Foundation, and numerous individuals.

Your Committee finds that the traditional and customary practice of kalo cultivation in Wai'oli Valley deserves protection. Your Committee further finds that the Board of Land and Natural Resources, in unanimously approving a perpetual easement for the Wai'oli Valley Taro Hui to continue to use and maintain its traditional lo'i kalo irrigation system, demonstrated its support for the Hui's stewardship and traditional and sustainable practices. Your Committee also finds that the Department of Land and Natural Resources is continuing to work with the Hui to complete the water leasing process pursuant to section 171-58, Hawaii Revised Statutes, which requires among other conditions, prior authorization of the Legislature by concurrent resolution.

Your Committee has amended this measure by:

- (1) Amending its title to read, "REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO ENTER INTO A LONG-TERM WATER LEASE WITH WAI'OLI VALLEY TARO HUI FOR THE HUI'S EXISTING USE OF WATER FROM WAI'OLI STREAM VIA DIRECT NEGOTIATION, UPON COMPLETION OF THE REQUIREMENTS OF CHAPTER 343, HAWAII REVISED STATUTES."; and
- (2) 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 Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 163, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.C.R. No. 163, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1300 Water & Land on H.R. No. 85

The purpose of this measure is to request that the Legislative Reference Bureau, in collaboration with the Department of Land and Natural Resources and University of Hawaii, develop a plan to establish a state geological survey in Hawaii.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and School of Ocean and Earth Science and Technology of the University of Hawaii at Mānoa. Your Committee received comments on this measure from the Office of Planning.

Your Committee finds that Hawaii is the only state in the nation without a geological survey and is one of only two states in the nation that has never received federal funds to perform geological studies. Your Committee further finds that a state geological survey in Hawaii would unify the State's mapping capability, make Hawaii eligible to compete for applicable federal funds, and provide a broader range of geological information for the public and state decisionmakers to use in mitigation and management planning.

Your Committee has amended this measure by:

- (1) Amending its title to read, "REQUESTING THE OFFICE OF PLANNING, IN COLLABORATION WITH VARIOUS AGENCIES, TO DEVELOP A PLAN TO ESTABLISH A STATE GEOLOGICAL SURVEY IN HAWAII.";

- (2) Requesting the Office of Planning, rather than the Legislative Reference Bureau, to develop a plan to establish a state geological survey in Hawaii;
- (3) Adding language that would enable the Office of Planning to collaborate with the Hawaii Emergency Management Agency, Department of Transportation, and the appropriate county planning departments and emergency management agencies when developing the plan;
- (4) Directing the Legislative Reference Bureau, upon request of the Office of Planning, to assist in the preparation of any proposed legislation that may be required to implement the Office of Planning's findings and recommendations;
- (5) Specifying that the Office of Planning is requested to submit a report of its findings and recommendations, including any proposed legislation, no later than twenty days prior to the convening of the Regular Session of 2023; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 85, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.R. No. 85, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1301 Water & Land on H.C.R. No. 102

The purpose of this measure is to request that the Legislative Reference Bureau, in collaboration with the Department of Land and Natural Resources and University of Hawaii, develop a plan to establish a state geological survey in Hawaii.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and School of Ocean and Earth Science and Technology of the University of Hawaii at Mānoa. Your Committee received comments on this measure from the Legislative Reference Bureau and Office of Planning.

Your Committee finds that Hawaii is the only state in the nation without a geological survey and is one of only two states in the nation that has never received federal funds to perform geological studies. Your Committee further finds that a state geological survey in Hawaii would unify the State's mapping capability, make Hawaii eligible to compete for applicable federal funds, and provide a broader range of geological information for the public and state decisionmakers to use in mitigation and management planning.

Your Committee has amended this measure by:

- (1) Amending its title to read, "REQUESTING THE OFFICE OF PLANNING, IN COLLABORATION WITH VARIOUS AGENCIES, TO DEVELOP A PLAN TO ESTABLISH A STATE GEOLOGICAL SURVEY IN HAWAII.";
- (2) Requesting the Office of Planning, rather than the Legislative Reference Bureau, to develop a plan to establish a state geological survey in Hawaii;
- (3) Adding language that would enable the Office of Planning to collaborate with the Hawaii Emergency Management Agency, Department of Transportation, and the appropriate county planning departments and emergency management agencies when developing the plan;
- (4) Directing the Legislative Reference Bureau, upon request of the Office of Planning, to assist in the preparation of any proposed legislation that may be required to implement the Office of Planning's findings and recommendations;
- (5) Specifying that the Office of Planning is requested to submit a report of its findings and recommendations, including any proposed legislation, no later than twenty days prior to the convening of the Regular Session of 2023; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 102, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 102, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1302 Water & Land on H.R. No. 95

The purpose of this measure is to urge the Department of Agriculture, Department of Health, and Department of Land and Natural Resources to develop and implement a mosquito control program using *Wolbachia* bacteria to reduce mosquito-borne diseases and mosquito population levels throughout the State.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Health, Coordinating Group on Alien Pest Species, and The Nature Conservancy Hawai'i.

Your Committee finds that mosquito-borne diseases, including the Zika virus, West Nile virus, Chikungunya virus, dengue fever, and avian malaria, are spread through the bite of an infected mosquito and that the control of mosquito populations throughout Hawaii is, therefore, necessary to protect the health and well-being of the State's residents and animals. Your Committee further finds that *Wolbachia* is a naturally occurring bacteria present in a high percentage of all insects and has been used successfully around the world in suppressing populations of pest mosquitoes.

Your Committee has amended this measure by:

- (1) Amending its title to read: "URGING THE DEPARTMENT OF AGRICULTURE, DEPARTMENT OF HEALTH, DEPARTMENT OF LAND AND NATURAL RESOURCES, AND UNIVERSITY OF HAWAII TO DEVELOP AND IMPLEMENT A MOSQUITO CONTROL PROGRAM THAT USES WOLBACHIA BACTERIA TO REDUCE MOSQUITO POPULATION LEVELS THROUGHOUT THE STATE.";
- (2) Adding the University of Hawaii to the agencies being urged to develop and implement a mosquito control program using *Wolbachia* bacteria;
- (3) Adding the President of the University of Hawaii System to the list of recipients of certified copies of this measure; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 95, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 95, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1303 Water & Land on H.C.R. No. 119

The purpose of this measure is to urge the Department of Agriculture, Department of Health, and Department of Land and Natural Resources to develop and implement a mosquito control program using *Wolbachia* bacteria to reduce mosquito-borne diseases and mosquito population levels throughout the State.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Health, Hawai'i Farm Bureau, Coordinating Group on Alien Pest Species, American Bird Conservancy, The Nature Conservancy Hawai'i, and one individual. Your Committee received testimony in opposition to this measure from the Department of Agriculture.

Your Committee finds that mosquito-borne diseases, including the Zika virus, West Nile virus, Chikungunya virus, dengue fever, and avian malaria, are spread through the bite of an infected mosquito and that the control of mosquito populations throughout Hawaii is, therefore, necessary to protect the health and well-being of the State's residents and animals. Your Committee further finds that *Wolbachia* is a naturally occurring bacteria present in a high percentage of all insects and has been used successfully around the world in suppressing populations of pest mosquitoes.

Your Committee has amended this measure by:

- (1) Amending its title to read: "URGING THE DEPARTMENT OF AGRICULTURE, DEPARTMENT OF HEALTH, DEPARTMENT OF LAND AND NATURAL RESOURCES, AND UNIVERSITY OF HAWAII TO DEVELOP AND IMPLEMENT A MOSQUITO CONTROL PROGRAM THAT USES WOLBACHIA BACTERIA TO REDUCE MOSQUITO POPULATION LEVELS THROUGHOUT THE STATE.";
- (2) Adding the University of Hawaii to the agencies being urged to develop and implement a mosquito control program using *Wolbachia* bacteria;
- (3) Adding the President of the University of Hawaii System to the list of recipients of certified copies of this measure; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 119, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 119, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1304 Water & Land on H.C.R. No. 131

The purpose of this measure is to request the establishment of a Burial Sites Working Group to review and recommend improvements to the Burial Sites Program within the State Historic Preservation Division.

Your Committee received testimony in support of this measure from six individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources, Ka Lāhui Hawai'i Kōmike Kalai'āina, and two individuals.

Your Committee finds that leaders of the Island Burial Councils have criticized the State for mismanagement of the Burial Sites Program, and many within the Native Hawaiian community have expressed frustration over inaction by the State Historic Preservation Division. Your Committee also finds that a Burial Sites Working Group could provide a mechanism to clarify issues, propose solutions, and improve the efficacy of the Burial Sites Program and the protections that it affords.

Your Committee has amended this measure by:

- (1) Adjusting the number of Native Hawaiian cultural practitioners to be selected for the working group by the President of the Senate and Speaker of the House of Representatives from two each to one each; and
- (2) 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 Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 131, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.C.R. No. 131, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1305 Economic Development on H.R. No. 137

The purpose of this measure is to support and adopt the goals set forth in the Digital Equity Declaration that was adopted by the Broadband Hui.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Office of Hawaiian Affairs; AlohaCare; Hawai'i Primary Care Association; Broadband Hui; Economic Development Alliance of Hawaii; and one individual.

Your Committee finds that digital equity allows all Hawaii residents, keiki to kupuna, to have the information technology capacity to participate fully in the State's society, democratic process, and economy, including civics, social and cultural activities, employment, lifelong learning, and access to essential services. This measure addresses inequitable digital access in the State by supporting efforts to empower Hawaii residents with adequate broadband infrastructure and affordable high-quality broadband service.

Your Committee has amended this measure by 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 Economic Development that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 137, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.R. No. 137, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 1306 Economic Development on H.C.R. No. 161

The purpose of this measure is to support and adopt the goals set forth in the Digital Equity Declaration that was adopted by the Broadband Hui.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of

Education; Office of Hawaiian Affairs; AlohaCare; Hawai'i Primary Care Association; Broadband Hui; Economic Development Alliance of Hawaii; and one individual.

Your Committee finds that digital equity allows all Hawaii residents, keiki to kupuna, to have the information technology capacity to participate fully in the State's society, democratic process, and economy, including civics, social and cultural activities, employment, lifelong learning, and access to essential services. This measure addresses inequitable digital access in the State by supporting efforts to empower Hawaii residents with adequate broadband infrastructure and affordable high-quality broadband service.

Your Committee has amended this measure by 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 Economic Development that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 161, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 161, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 1307 Economic Development on H.R. No. 69

The purpose of this measure is to urge the Department of Business, Economic Development, and Tourism to establish a Job Corps Program to help address unemployment impacts of the COVID-19 pandemic and support economic diversification.

Your Committee received testimony in support of this measure from Kupu and Young Democrats of Hawai'i. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; and Workforce Development Council.

Your Committee finds that tourism, the State's largest industry, has dropped considerably because of the COVID-19 pandemic, providing a unique opportunity to build a more resilient, equitable, and diversified economy. Establishing a Job Corps Program in the State would provide residents of all ages who have been economically impacted by the COVID-19 pandemic with opportunities to learn new skills and increase their prospects of employment within resiliency and green sectors, including local agriculture, conservation, climate adaptation, renewable energy, cesspool conversion, and technology.

Your Committee has amended this measure by 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 Economic Development that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 69, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 69, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 1308 Economic Development on H.R. No. 114

The purpose of this measure is to request the Department of Business, Economic Development, and Tourism to commission the development of evidence-based research and a policy framework to guide decision-making on gambling-related issues.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and one individual. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that as the State looks to diversify its economy and address budget shortfalls, legalized gambling is a recurrent idea to address these issues. To achieve a more productive discourse on whether Hawaii should pursue legalized gambling, research on relevant public health and safety concerns is necessary to guide decision-making on gaming-related issues.

Your Committee has amended this measure by:

- (1) Requesting the Legislative Reference Bureau, rather than the Department of Business, Economic Development, and Tourism, to conduct a study on relevant public health and safety concerns to guide decision-making on gaming-related issues;
- (2) Deleting provisions that would have requested and outlined the development of a policy framework to guide decision-making on gambling-related issues;
- (3) Specifying the scope of the research to be conducted by the Legislative Reference Bureau by deleting certain areas of interest and including research on the impact of public health and safety in the surrounding communities;
- (4) Deleting provisions that requested that the research be funded by a dedicated and protected revenue stream;
- (5) Amending its title to read "REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON RELEVANT PUBLIC HEALTH AND SAFETY CONCERNS TO GUIDE DECISION-MAKING ON GAMING-RELATED ISSUES";
- (6) Transmitting a certified copy of the resolution to the Director of the Legislative Reference Bureau, rather than the Director of Business, Economic Development, and Tourism; and
- (7) 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 Economic Development that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 114, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.R. No. 114, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 1309 Economic Development on H.C.R. No. 134

The purpose of this measure is to request the Department of Business, Economic Development, and Tourism to commission the development of evidence-based research and a policy framework to guide decision-making on gambling-related issues.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and one individual. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that as the State looks to diversify its economy and address budget shortfalls, legalized gambling is a recurrent idea to address these

issues. To achieve a more productive discourse on whether Hawaii should pursue legalized gambling, research on relevant public health and safety concerns is necessary to guide decision-making on gaming-related issues.

Your Committee has amended this measure by:

- (1) Requesting the Legislative Reference Bureau, rather than the Department of Business, Economic Development, and Tourism, to conduct a study on relevant public health and safety concerns to guide decision-making on gaming-related issues;
- (2) Deleting provisions that would have requested and outlined the development of a policy framework to guide decision-making on gambling-related issues;
- (3) Specifying the scope of the research to be conducted by the Legislative Reference Bureau by deleting certain areas of interest and including research on the impact of public health and safety in the surrounding communities;
- (4) Deleting provisions that requested that the research be funded by a dedicated and protected revenue stream;
- (5) Amending its title to read "REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON RELEVANT PUBLIC HEALTH AND SAFETY CONCERNS TO GUIDE DECISION-MAKING ON GAMING-RELATED ISSUES";
- (6) Transmitting a certified copy of the resolution to the Director of the Legislative Reference Bureau, rather than the Director of Business, Economic Development, and Tourism; and
- (7) 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 Economic Development that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 134, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 134, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 1310 Economic Development on H.R. No. 117

The purpose of this measure is to request the Department of Business, Economic Development, and Tourism to compile a short list of Fortune 500 companies that could potentially relocate to the State.

Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that the effects of the COVID-19 pandemic and resulting job losses in the tourism sector of the economy have demonstrated the urgent need for business diversification in the State. Because many jobs and businesses can be done from virtually anywhere with an internet connection, there are many reasons for a company to relocate to Hawaii. This measure would identify incentives for companies to relocate to Hawaii as a means of luring well-paying jobs and investment to the State.

Your Committee has amended this measure by:

- (1) Inserting language that requests the Department of Business, Economic Development, and Tourism to submit a report to the Legislature twenty days prior to the convening of the Regular Session of 2022; and
- (2) 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 Economic Development that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 117, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 117, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 1311 Economic Development on H.C.R. No. 137

The purpose of this measure is to request the Department of Business, Economic Development, and Tourism to compile a short list of Fortune 500 companies that could potentially relocate to the State.

Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that the effects of the COVID-19 pandemic and resulting job losses in the tourism sector of the economy have demonstrated the urgent need for business diversification in the State. Because many jobs and businesses can be done from virtually anywhere with an internet connection, there are many reasons for a company to relocate to Hawaii. This measure would identify incentives for companies to relocate to Hawaii as a means of luring well-paying jobs and investment to the State.

Your Committee has amended this measure by:

- (1) Inserting language that requests the Department of Business, Economic Development, and Tourism to submit a report to the Legislature twenty days prior to the convening of the Regular Session of 2022; and
- (2) 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 Economic Development that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 137, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 137, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 1312 Housing on H.C.R. No. 167

The purpose of this measure is to request the Office of Planning to convene a Multi-Agency Affordable Housing Task Force to review affordable sales guidelines in Hawaii and other high-cost areas to determine a methodology for setting realistic sales prices for affordable housing in the State.

Your Committee received testimony in support of this measure from the Hawaii Community Development Authority and two individuals. Your Committee

received comments on this measure from the Office of Planning and Hawaii Housing Finance and Development Corporation.

Your Committee finds that there is a severe shortage of affordable homes in the State. Your Committee also finds that the affordability crisis is attributed in large part to the fact that incomes have not kept pace with housing costs. Your Committee further finds that if the State and counties want to provide for-sale homes that residents can afford on typical wages earned in Hawaii, the definition of affordable sales prices needs to more accurately reflect what households in the State can realistically afford.

Your Committee further finds that the State, counties, and various housing agencies use different methodologies to define affordable sales prices, which creates confusion among consumers. Exploring how affordable sales guidelines are calculated in the State and determining a uniform definition of affordable housing in the State will encourage potential homeowners to plan and obtain assistance with purchasing a home.

Your Committee has amended this measure by:

- (1) Amending the requested responsibilities of the Multi-Agency Affordable Housing Task Force to:
 - (A) Include exploring how affordable sales guidelines are calculated in Hawaii; and
 - (B) Remove the request for the task force to determine a uniform methodology for setting sales prices for affordable housing and generate a report regarding best practices and policies from other high-cost areas;
- (2) Requesting the Executive Director of the Hawaii Housing Finance and Development Corporation to serve as chairperson of the task force;
- (3) Removing the request for the Office of Planning to provide administrative support for the task force;
- (4) Requesting that the task force submit its report to the Legislature twenty days prior to the convening of the Regular Session of 2023, rather than 2022;
- (5) Changing the title to read: "REQUESTING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO CONVENE A MULTI-AGENCY AFFORDABLE HOUSING TASK FORCE TO DETERMINE A UNIFORM DEFINITION OF AFFORDABLE HOUSING IN THE STATE.";
- (6) Requesting that certified copies of this measure be transmitted to the county mayors and Director of the Hawaii Budget & Policy Center; and
- (7) 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 Housing that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 167, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 167, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1313 Housing on H.R. No. 125

The purpose of this measure is to request that the Legislative Reference Bureau conduct a study regarding affordable housing in the County of Maui and submit a report to the Legislature.

Your Committee did not receive any testimony on this measure.

Your Committee finds that the shortage of available housing in the State continues to worsen as the demand for affordable housing continues to outpace supply. Your Committee further finds that the State's housing problem varies by county. Although the housing shortage, particularly the availability of affordable housing, is a statewide problem, your Committee noted at its public hearing that the need for housing is of particularly great concern in rural areas such as Lanai and Molokai.

As such, your Committee has amended this measure by:

- (1) Requesting the Hawaii Housing Finance and Development Corporation, rather than the Legislative Reference Bureau, to conduct a study or prepare a report with existing data regarding affordable housing and report to the Legislature prior to the convening of the Regular Session of 2022;
- (2) Narrowing the scope of the study or report to Lanai and Molokai, rather than the County of Maui, and amending the contents of the request for the study or report;
- (3) Amending the title to read, "REQUESTING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO CONDUCT A STUDY OR PREPARE A REPORT WITH EXISTING DATA REGARDING AFFORDABLE HOUSING ON LANAI AND MOLOKAI."; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 125, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 125, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1314 Housing on H.C.R. No. 149

The purpose of this measure is to request that the Legislative Reference Bureau conduct a study regarding affordable housing in the County of Maui and submit a report to the Legislature.

Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that the shortage of available housing in the State continues to worsen as the demand for affordable housing continues to outpace supply. Your Committee further finds that the State's housing problem varies by county. Although the housing shortage, particularly the availability of affordable housing, is a statewide problem, your Committee noted during discussions at its public hearing that the need for housing is of particularly great concern in rural areas such as Lanai and Molokai.

As such, your Committee has amended this measure by:

- (1) Requesting the Hawaii Housing Finance and Development Corporation, rather than the Legislative Reference Bureau, to conduct a study or prepare a report with existing data regarding affordable housing and report to the Legislature prior to the convening of the Regular Session of 2022;

- (2) Narrowing the scope of the study or report to Lanai and Molokai, rather than the County of Maui, and amending the contents of the request for the study or report;
- (3) Amending the title to read, "REQUESTING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO CONDUCT A STUDY OR PREPARE A REPORT WITH EXISTING DATA REGARDING AFFORDABLE HOUSING ON LANAI AND MOLOKAI."; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 149, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 149, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1315 Economic Development on H.R. No. 35

The purpose of this measure is to urge United States President Joseph R. Biden, Jr., and the Asia-Pacific Economic Cooperation to hold the 2023 Asia-Pacific Economic Cooperation Summit in Honolulu, Hawaii.

Your Committee received testimony in support of this measure from the Hawai'i Tourism Authority.

Your Committee finds that the Asia-Pacific Economic Cooperation is the premier forum for facilitating free trade, economic growth, and investment cooperation in the Asia-Pacific region. This measure would urge the Asia-Pacific Economic Cooperation to host its annual conference in Honolulu, Hawaii, which would result in immediate growth in business activity in the State and may also establish a positive reputation for Hawaii as a place to facilitate other global diplomatic conferences.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 35 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 1316 Economic Development on H.C.R. No. 44

The purpose of this measure is to urge United States President Joseph R. Biden, Jr., and the Asia-Pacific Economic Cooperation to hold the 2023 Asia-Pacific Economic Cooperation Summit in Honolulu, Hawaii.

Your Committee received testimony in support of this measure from the Hawai'i Tourism Authority.

Your Committee finds that the Asia-Pacific Economic Cooperation is the premier forum for facilitating free trade, economic growth, and investment cooperation in the Asia-Pacific region. This measure would urge the Asia-Pacific Economic Cooperation to host its annual conference in Honolulu, Hawaii, which would result in immediate growth in business activity in the State and may also establish a positive reputation for Hawaii as a place to facilitate other global diplomatic conferences.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 44 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 1317 Water & Land/Judiciary & Hawaiian Affairs on H.R. No. 64

The purpose of this measure is to request the Department of Land and Natural Resources to convene a working group to assess the status of Act 14, Session Laws of Hawaii 1995 (Act 14), which was intended to provide for a full settlement of all land claims made on behalf of the Hawaiian Home Lands Trust against the State between August 21, 1959, and July 1, 1988.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs, Sovereign Council of Hawaiian Homestead Associations, Association of Hawaiians for Homestead Lands, a member of the Kauai County Council, and two individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources, Department of Hawaiian Home Lands, and Office of Planning.

Your Committees find that this measure offers a common-sense approach to trying to resolve an issue that has persisted for over twenty-five years. Given the length of time that has elapsed since the enactment of Act 14, your Committees urge the working group to focus on actions rather than meetings, with the goal of full implementation of all requirements of Act 14.

As affirmed by the records of votes of the members of your Committees on Water & Land and Judiciary & Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 64 and recommend that it be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.
Water & Land: Ayes, 5; Ayes with Reservations (B. Kobayashi). Noes, 1 (Ganaden). Excused, 2 (Morikawa, McDermott).
Judiciary & Hawaiian Affairs: Ayes, 9. Noes, none. Excused, 3 (D. Kobayashi, Lowen, Nakamura).

SCRep. 1318 Water & Land/Judiciary & Hawaiian Affairs on H.C.R. No. 76

The purpose of this measure is to request the Department of Land and Natural Resources to convene a working group to assess the status of Act 14, Session Laws of Hawaii 1995 (Act 14), which was intended to provide for a full settlement of all land claims made on behalf of the Hawaiian Home Lands Trust against the State between August 21, 1959, and July 1, 1988.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs, Sovereign Council of Hawaiian Homestead Associations, Association of Hawaiians for Homestead Lands, a member of the Kauai County Council, and three individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources, Department of Hawaiian Home Lands, Office of Planning, and one individual.

Your Committees find that this measure offers a common-sense approach to trying to resolve an issue that has persisted for over twenty-five years. Given the length of time that has elapsed since the enactment of Act 14, your Committees urge the working group to focus on actions rather than meetings, with the goal of full implementation of all requirements of Act 14.

As affirmed by the records of votes of the members of your Committees on Water & Land and Judiciary & Hawaiian Affairs that are attached to this report,

your Committees concur with the intent and purpose of H.C.R. No. 76 and recommend that it be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Water & Land: Ayes, 5; Ayes with Reservations (B. Kobayashi). Noes, 1 (Ganaden). Excused, 2 (Morikawa, McDermott).

Judiciary & Hawaiian Affairs: Ayes, 9. Noes, none. Excused, 3 (D. Kobayashi, Lowen, Nakamura).

SCRep. 1319 Energy & Environmental Protection on H.R. No. 65

The purpose of this measure is to request the Department of Health Environmental Management Division to conduct a study on the benefits and costs to implement extended producer responsibility in the State.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i, American Beverage Association, Hawaii Reef and Ocean Coalition, Zero Waste Oahu, and one individual.

Your Committee finds that the high cost of recycling and the narrowing market for recyclable materials present an opportunity to pivot away from a reliance on individual recycling and toward a model that places more responsibility for the end-of-life management on the producer. This measure will explore the statewide benefits and costs of requiring producers to be responsible for the environmental and public health costs of their products to encourage better design for products and systems that reduce waste at the source and promote the reuse of more waste materials.

Your Committee notes the importance of considering possible sources of funding for the study, including the Deposit Beverage Container Deposit Special Fund and Environmental Management Special Fund.

Your Committee has amended this measure by changing the amount requested to be used by the Department of Health Environmental Management Division for the purposes of the study from \$125,000 to \$150,000.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 65, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 65, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1320 Energy & Environmental Protection on H.C.R. No. 77

The purpose of this measure is to request the Department of Health Environmental Management Division to conduct a study on the benefits and costs to implement extended producer responsibility in the State.

Your Committee received testimony in support of this measure from the Department of Health, Environmental Caucus of the Democratic Party of Hawai'i, American Beverage Association, Hawaii Reef and Ocean Coalition, Zero Waste Oahu, and one individual.

Your Committee finds that the high cost of recycling and the narrowing market for recyclable materials present an opportunity to pivot away from a reliance on individual recycling and toward a model that places more responsibility for the end-of-life management on the producer. This measure will explore the statewide benefits and costs of requiring producers to be responsible for the environmental and public health costs of their products to encourage better design for products and systems that reduce waste at the source and promote the reuse of more waste materials.

Your Committee notes the importance of considering possible sources of funding for the study, including the Deposit Beverage Container Deposit Special Fund and Environmental Management Special Fund.

Your Committee has amended this measure by changing the amount requested to be used by the Department of Health Environmental Management Division for the purposes of the study from \$125,000 to \$150,000.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 77, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 77, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1321 Energy & Environmental Protection on H.R. No. 155

The purpose of this measure is to urge state law enforcement entities, including the Department of the Attorney General, Sheriff Division of the Department of Public Safety, and Harbors Division of the Department of Transportation, to collaborate with the Division of Conservation and Resources Enforcement of the Department of Land and Natural Resources to support its mission in this time of need.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and Department of Public Safety.

Your Committee finds that the Division of Conservation and Resources Enforcement of the Department of Land and Natural Resources is responsible for enforcement activities of the Department, including enforcement of all state laws and rules involving state lands, state parks, historic sites, forest reserves, aquatic life, wildlife areas, coastal zones, conservation districts, and state shores, as well as county ordinances involving county parks. However, because the Division of Conservation and Resources Enforcement is understaffed, there is a lack of enforcement presence to deter illegal activity. This measure would encourage collaboration among state law enforcement entities to protect, conserve, and manage Hawaii's unique and limited natural, cultural, and historic resources.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 155 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1322 Energy & Environmental Protection on H.C.R. No. 186

The purpose of this measure is to urge state law enforcement entities, including the Department of the Attorney General, Sheriff Division of the Department of Public Safety, and Harbors Division of the Department of Transportation, to collaborate with the Division of Conservation and Resources Enforcement of the Department of Land and Natural Resources to support its mission in this time of need.

Your Committee received testimony in support of this measure from five individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Public Safety, Department of Transportation, and one individual.

Your Committee finds that the Division of Conservation and Resources Enforcement of the Department of Land and Natural Resources is responsible for enforcement activities of the Department, including enforcement of all state laws and rules involving state lands, state parks, historic sites, forest reserves, aquatic life, wildlife areas, coastal zones, conservation districts, and state shores, as well as county ordinances involving county parks. However, because the Division of Conservation and Resources Enforcement is understaffed, there is a lack of enforcement presence to deter illegal activity. This measure would encourage collaboration among state law enforcement entities to protect, conserve, and manage Hawaii's unique and limited natural, cultural, and historic resources.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 186 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1323 Energy & Environmental Protection on H.R. No. 20

The purpose of this measure is to urge the Department of Health's Environmental Management Division to ensure that destinations to which the State's recyclable waste is transported for out-of-state processing abide by the environmental standards as outlined by the Basel Convention.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i, Hawaii Food Industry Association, American Chemistry Council, and one individual.

Your Committee finds that much of the recyclable waste that is shipped to United States destinations from Hawaii is subsequently sent overseas for end-of-life processing, where it is often handled in a manner that causes harm to human health and local environments. This measure would ensure that the State's recyclable waste is processed in a manner that aligns with certain health and safety standards.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 20 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1324 Energy & Environmental Protection on H.C.R. No. 27

The purpose of this measure is to urge the Department of Health's Environmental Management Division to ensure that destinations to which the State's recyclable waste is transported for out-of-state processing abide by the environmental standards as outlined by the Basel Convention.

Your Committee received testimony in support of this measure from the Department of Health, Environmental Caucus of the Democratic Party of Hawai'i, Hawaii Food Industry Association, American Chemistry Council, and two individuals.

Your Committee finds that much of the recyclable waste that is shipped to United States destinations from Hawaii is subsequently sent overseas for end-of-life processing, where it is often handled in a manner that causes harm to human health and local environments. This measure would ensure that the State's recyclable waste is processed in a manner that aligns with certain health and safety standards.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection 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 your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1325 Energy & Environmental Protection on H.R. No. 55

The purpose of this measure is to declare a climate emergency and request statewide collaboration toward an immediate just transition and emergency mobilization effort to restore a safe climate.

Your Committee received testimony in support of this measure from the Office of Planning, two members of the Hawai'i County Council, one member of the Maui County Council, Hawai'i Youth Climate Coalition, Sustainable Energy Hawai'i, Climate Protectors Hawaii, Citizens' Climate Lobby Hawaii, Big Island Electric Vehicle Association, Hawaii Electric Vehicle Association, Kauai Climate Action Coalition, Environmental Caucus of the Democratic Party of Hawai'i, Our Revolution Hawaii, Foresight/Policy Analysis, 350Hawaii.org, Surfrider Foundation Hawai'i Region, Hawai'i Alliance for Progressive Action, Kaua'i Women's Caucus, Climate Protectors Coalition, Zero Waste Kaua'i, Hawaii Reef and Ocean Coalition, Pono Hawai'i Initiative, HI Strikes Back, Surfrider Foundation Kaua'i, Mālama Kaua'i, Community Coalition Kaua'i, Wailua-Kapa'a Neighborhood Association, The Climate Mobilization, Environmental Justice Task Force of Faith Action for Community Equity, and numerous individuals. Your Committee received comments on this measure from the Hawaiian Electric Company, Hawaii Clean Power Alliance, and Hawai'i Gas.

Your Committee finds that the rise in the average global air temperature has resulted in larger and stronger hurricanes, increased drought and flooding, shifting rain patterns, more and larger wildfires, a hotter and more acidic ocean, and damaged ecosystems, both marine and terrestrial, across the planet. This measure highlights the urgency and importance of statewide collaboration to mitigate the effects of climate change in the State.

Your Committee has amended this measure by:

- (1) Deleting certain provisions relating to the requested climate mitigation adaptation efforts to restore a safe climate; and
- (2) 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 Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 55, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 55, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1326 Energy & Environmental Protection on H.C.R. No. 67

The purpose of this measure is to declare a climate emergency and request statewide collaboration toward an immediate just transition and emergency

mobilization effort to restore a safe climate.

Your Committee received testimony in support of this measure from the Office of Planning, two members of the Hawai'i County Council, one member of the Maui County Council, Climate Protectors Hawaii, Clean the Pacific, Hawai'i Youth Climate Coalition, Sustainable Energy Hawai'i, Citizens' Climate Lobby Hawaii, Big Island Electric Vehicle Association, Hawaii Electric Vehicle Association, Kauai Climate Action Coalition, Environmental Caucus of the Democratic Party of Hawai'i, Malu 'Aina, Our Revolution Hawaii, Foresight/Policy Analysis, 350Hawaii.org, Surfrider Foundation Hawai'i Region, Hawai'i Alliance for Progressive Action, Kaua'i Women's Caucus, Climate Protectors Coalition, Zero Waste Kaua'i, Hawaii Reef and Ocean Coalition, Pono Hawai'i Initiative, HI Strikes Back, Surfrider Foundation Kaua'i, Mālama Kaua'i, Community Coalition Kaua'i, Wailua-Kapa'a Neighborhood Association, The Climate Mobilization, Environmental Justice Task Force of Faith Action for Community Equity, and numerous individuals. Your Committee received comments on this measure from the Hawaiian Electric Company, Hawaii Clean Power Alliance, and Hawai'i Gas.

Your Committee finds that the rise in the average global air temperature has resulted in larger and stronger hurricanes, increased drought and flooding, shifting rain patterns, more and larger wildfires, a hotter and more acidic ocean, and damaged ecosystems, both marine and terrestrial, across the planet. This measure highlights the urgency and importance of statewide collaboration to mitigate the effects of climate change in the State.

Your Committee has amended this measure by:

- (1) Deleting certain provisions relating to the requested climate mitigation adaptation efforts to restore a safe climate; and
- (2) 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 Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 67, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 67, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1327 Judiciary & Hawaiian Affairs on H.C.R. No. 5

The purpose of this measure is to establish a Joint Committee on Judicial Selection and to have the Committee work with the Judicial Selection Commission and the Judiciary to create greater transparency within the Commission.

Your Committee received testimony in support of this measure from Kobayashi Sugita & Goda LLP. Your Committee received comments on this measure from the Legislative Reference Bureau and the Judiciary.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 5 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakamura).

SCRep. 1328 Judiciary & Hawaiian Affairs on H.R. No. 130

The purpose of this measure is to condemn racism towards Asians in light of the COVID-19 pandemic and to encourage federal, state, and local government support in developing solutions.

Your committee received testimony in support of this measure from Common Cause Hawaii, the Democratic Party of Hawaii Education Caucus, Imua Alliance, Planned Parenthood Votes Northwest and Hawaii, and three individuals.

Your committee hopes one day that resolutions like this will not be needed.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 130 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakamura).

SCRep. 1329 Judiciary & Hawaiian Affairs on H.C.R. No. 154

The purpose of this measure is to condemn racism towards Asians in light of the COVID-19 pandemic and to encourage federal, state, and local government support in developing solutions.

Your committee received testimony in support of this measure from Common Cause Hawaii, the Democratic Party of Hawaii Education Caucus, Imua Alliance, Hawaii Friends of Civil Rights, LGBT Caucus of the Democratic Party of Hawaii, Planned Parenthood Votes Northwest and Hawaii, and five individuals.

Your committee hopes one day that resolutions like this will not be needed.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 154 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakamura).

SCRep. 1330 Agriculture on S.B. No. 1387

The purpose of this measure is to require dog and cat owners to microchip their pets.

Your Committee received testimony in support of this measure from Poi Dogs & Popoki, American Bird Conservancy, Hawaii Association of Animal Welfare Agencies, and three individuals. Your Committee received testimony in opposition to this measure from three individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and Department of Agriculture.

Your Committee finds that microchips are the safest, most accessible, and most affordable identification tool for pet owners. Microchipping pets can also bypass the need for animal control, save taxpayer money by eliminating the cost of intake and boarding of lost pets, and avoid additional stress on an owner and the pet during the period of separation.

Your Committee has amended this measure by:

- (1) Excluding from this measure animals that are being cared for as part of a designated population management program;
- (2) Excluding the Animal Quarantine Branch of the Department of Agriculture from the definition of "owner"; 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1387, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1387, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Todd).

SCRep. 1331 Transportation on S.B. No. 768

The purpose of this measure is to establish the Rental Car Modernization Task Force to develop a plan to ensure that electric vehicle charging infrastructure is installed to support a one hundred percent zero-emission rental motor vehicle fleet by 2035.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii State Energy Office, Ulupono Initiative, Hawaii Electric Vehicle Association, Big Island Electric Vehicle Association, Sustainable Energy Hawai'i, Climate Protectors Hawaii, Maui Metropolitan Planning Organization, KauaiEV, Think B.I.G, and six individuals. Your Committee received comments on this measure from the Avis Budget Group, Enterprise Holdings, and 350Hawaii.org.

Your Committee finds that in order for the State to achieve its clean energy goals in a timely manner, programs that support the implementation of environmentally friendly transportation options are necessary. While electric vehicles are essential to reduce Hawaii's dependence on fossil fuels, your Committee notes that the State is not equipped with the appropriate infrastructure to support a large number of electric vehicles in the State. Electric charging infrastructure will need to be installed in various parts of the State, including airports, hotels, and residences. Your Committee further finds that next to public vehicle fleets, rental motor vehicles represent the largest passenger vehicle fleets in Hawaii. Your Committee believes that modernizing the rental car industry to support a one hundred percent electric vehicle fleet will bring the State closer to achieving its goal of clean energy by 2045.

Your Committee has amended this measure by:

- (1) Changing the member of the Senate on the task force from the Chairperson of the Senate Transportation Committee to one member appointed by the President of the Senate;
- (2) Increasing the number of members representing the rental car industry on the task force from one to two;
- (3) Including on the task force one local or regional representative of an auto manufacturing company, as invited by the chairperson of the task force;
- (4) Changing the scope of the plan to determining the feasibility of installing, rather than ensuring the installation of, enough electric vehicle charging infrastructure to support a one hundred percent zero-emission rental motor vehicle fleet by 2035; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 768, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 768, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (DeCoite, Kitagawa).

SCRep. 1332 Transportation on S.B. No. 1212

The purpose of this measure is to amend registration requirements for motor carrier vehicles that have an outstanding federal out-of-service order.

Your Committee received testimony in support of this measure from the Department of Transportation and Hawaii Transportation Association.

Your Committee finds that some state programs relating to motor carrier safety are funded through federal grants, such as the Motor Carrier Safety Assistance Program. Your Committee further finds that in 2015, compliance with the Performance Registration Information Systems Management Program, which identifies motor carrier vehicles that are under a federal out-of-service order due to deficiencies found in a compliance review inspection, was made mandatory in order to continue receiving federal grant monies. This measure will allow the State to qualify under federal law and continue to receive grant money necessary for motor carrier safety programs.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2021; and
- (2) 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1212, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1212, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Kitagawa).

SCRep. 1333 Transportation on S.B. No. 1402

The purpose of this measure is to require the Department of Transportation to create motor vehicle, bicycle, and pedestrian highway and pathway networks.

Your Committee received testimony in support of this measure from the Department of Health; Department of Transportation; Office of Planning; Office of Hawaiian Affairs; American Heart Association; Waikiki Neighborhood Board; AARP Hawai'i; Environmental Justice Task Force of Faith Action for Community Equity; AlohaCare; Ulupono Initiative; Climate Protectors Hawaii; Hawai'i Public Health Institute; Maui Metropolitan Planning Organization; Blue Planet Foundation; People's Advocacy for Trails Hawaii; Hilo Bay Front Trails, Inc; Get Fit Kauai; Hawaii Bicycling League; and three individuals.

Your Committee finds that the establishment of separate motor vehicle, bicycle, and pedestrian highway and pathway networks throughout the State is an effective way to decrease the public's reliance on personal motor vehicles, reduce the cost of transportation, and improve public health. This measure will modernize Hawaii's ground transportation infrastructure by providing additional metrics, considerations, and assistance to the Department of Transportation.

Your Committee has amended this measure by 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1402, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1402, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Kitagawa).

SCRep. 1334 Labor & Tourism on S.B. No. 1270

The purpose of this measure is to replace the Director of Human Services with the Administrator of the Division of Vocational Rehabilitation, Department of Human Services, as an ex officio, voting member on the Workforce Development Council.

Your Committee received testimony in support of this measure from the Department of Human Services; Workforce Development Council; Oceanit Laboratories, Inc.; Hawaii Laborers-Employers Cooperation and Education Trust; Hawai'i Pacific Health; Nordic PCL Construction, Inc.; Kyo-ya Management Company, Ltd.; and one individual.

Your Committee finds that the change in membership of the State Workforce Development Council is needed to bring the composition of the Council into compliance with federal regulations, including a requirement that a representative of the State's Vocational Rehabilitation Program serve on the Council. Failure to amend the composition could result in the loss of over \$9,000,000 in federal funds.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1270 and recommends that it pass Second Reading and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 1335 Corrections, Military, & Veterans on S.B. No. 1112

The purpose of this measure is to amend the minimum appointment eligibility requirements for the position of Adjutant General to a person who:

- (1) Holds or has held a commission of the rank of Colonel in the military with a grade of 06 or above or its equivalent;
- (2) Has served as a commissioned officer in one or more certain Army or Air Force components for at least ten years; and
- (3) Has no administrative actions preventing promotion to the rank of a General Officer in the military with a grade of 07 or 08.

Your Committee received testimony in support of this measure from the Department of Defense.

Your Committee finds that the position of Adjutant General serves as the Director of Hawaii Emergency Management and oversees the Hawaii Emergency Management Agency. These responsibilities require strategic thinking and quick and decisive coordination of various agencies, including mobilization of forces in advance of and during actual emergencies.

Your Committee further finds that the position of Adjutant General requires a person with sufficient military education and experience to make operational decisions, maintain credibility with national and international counterparts, and provide leadership in times of natural or manmade disaster. The rank of Major, which would currently qualify a person for the position of Adjutant General, can be attained by someone with approximately ten years less of education and experience than a person holding the rank of Colonel. Increasing the minimum eligibility requirements for the position through this measure provides greater assurance that the role will be filled by a qualified candidate.

Your Committee has amended this measure by 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1112, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1112, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1336 Corrections, Military, & Veterans on S.B. No. 1187

The purpose of this measure is to:

- (1) Make an emergency appropriation to the Department of Public Safety to provide the State's correctional institutions and the Health Care Division with sufficient funds to cover the cost of personnel to provide continuous operations and response to the COVID-19 pandemic; and
- (2) Appropriate funds to establish nine permanent full-time equivalent positions for the Department of Public Safety's intake service centers.

Your Committee received testimony in support of this measure from the Department of Public Safety.

Your Committee finds that the Department of Public Safety projected a shortfall in funding for fiscal year 2020-2021 for the Halawa, Kulani, and Waiawa Correctional Facilities, and the Hawaii, Maui, Oahu, Kauai, and Women's Community Correctional Centers. According to the Department, because it is severely short staffed, it has incurred substantial overtime charges and has consequently shut down programs. Your Committee also finds that the Department's staffing for its Health Care Division has been critically reduced.

Your Committee further finds that the appropriation for nine permanent full-time equivalent positions for the Department of Public Safety's intake service centers are for fiscal years 2021-2022 and 2022-2023, and appear to fall outside the scope of the title of this measure, which is limited to emergency appropriations.

Accordingly, your Committee has amended this measure by:

- (1) Deleting the appropriation for the positions for the Department's intake service centers and making conforming revisions; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee requests that your Committee on Finance consider, in an appropriate vehicle, an appropriation of \$502,476 for fiscal year 2021-2022 and the same sum for fiscal year 2022-2023 for the Department of Public Safety to establish nine permanent full-time equivalent positions for intake service centers (PSD 410) to meet legislative objectives for the pretrial reform initiatives established pursuant to Act 179, Session Laws of Hawaii 2019.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1187, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1187, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1337 Judiciary & Hawaiian Affairs on S.B. No. 294

The purpose of this measure is to make the State's civil asset forfeiture process more just by amending the Hawaii Omnibus Criminal Forfeiture Act to:

- (1) Restrict civil asset forfeiture to cases involving the commission of a felony offense where the property owner has been convicted of the underlying felony offense, subject to certain circumstances;
- (2) Direct any forfeiture proceeds to the general fund;
- (3) Amend the allowable expenses for monies in the Criminal Forfeiture Fund;
- (4) Require the Attorney General to adopt rules necessary to carry out the purpose of the Hawaii Omnibus Criminal Forfeiture Act; and
- (5) Amend the deadline for the Attorney General to report to the Legislature on the use of the Hawaii Omnibus Criminal Forfeiture Act.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Young Progressives Demanding Action, Hawai'i Association of Criminal Defense Lawyers, Americans for Democratic Action Hawai'i, Community Alliance on Prisons, Common Cause Hawaii, LGBT Caucus of the Democratic Party of Hawai'i, Drug Policy Forum of Hawai'i, American Civil Liberties Union of Hawai'i, and ten individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources, Hawai'i Police Department, Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, Maui Police Department, Honolulu Police Department, and Office of the Prosecuting Attorney of the County of Hawai'i. Your Committee received comments on this measure from the Office of Hawaiian Affairs, Department of Public Safety, Department of the Attorney General, and Grassroot Institute of Hawaii.

Your Committee finds that requiring a criminal conviction before permanently confiscating an offender's property will help to establish an important protection for property owners and ensure fairness in the asset forfeiture process. Your Committee also finds that directing the proceeds from the sale of property forfeited to the general fund will eliminate the financial incentive for law enforcement agencies to seize and keep forfeited property.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 294, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 294, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 1338 Judiciary & Hawaiian Affairs on S.B. No. 412

The purpose of this measure is to exclude the offense of habitually operating a vehicle under the influence of an intoxicant from qualifying for deferred acceptance of a guilty plea or nolo contendere plea.

Your Committee received testimony in support of this measure from the Office of the Prosecuting Attorney of the County of Kaua'i, Office of the Prosecuting Attorney of the County of Hawaii, Honolulu Police Department, and County of Hawai'i Police Department. Your Committee received comments on this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and Department of the Prosecuting Attorney of the County of Maui.

Your Committee finds that a person is a habitual operator of a vehicle while under the influence of an intoxicant if the person was convicted two or more times for offenses of operating a vehicle under the influence, or one or more times for habitually operating a vehicle under the influence. Your Committee therefore finds that because of the repeat nature of the offense and the potential for serious harm to others, offenders should not be eligible for deferred pleas.

Your Committee has amended this measure by:

- (1) Clarifying the implied consent law to make an exception for giving a breath, blood, or urine test pursuant to a search warrant or any other basis permissible under the Constitution of the State of Hawaii and state law;
- (2) Changing the effective date to July 1, 3021, to encourage further discussion; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 412, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 412, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 1339 Judiciary & Hawaiian Affairs on S.B. No. 421

The purpose of this measure is to amend the manner and certain time frames in which a vacancy in the membership of the State Senate is filled.

Your Committee received testimony in support of this measure from the Office of Elections.

Your Committee finds that since 2010, there have been at least twenty vacancies in the offices of the United States Senators, United States Representatives, State Senators, and State Representatives. Your Committee further finds that the electorate, rather than the Governor, should fill any vacancy in these offices.

Your Committee has amended this measure by deleting its contents and inserting the contents of H.B. No. 1117 (Regular Session of 2021), a measure that requires vacancies in the offices of the United States Senators, United States Representatives, State Senators, and State Representatives to be filled by special election.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 421, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 421, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 1340 Judiciary & Hawaiian Affairs on S.B. No. 548

The purpose of this measure is to:

- (1) Amend the State's election laws to clarify and improve the administration of elections by mail;
- (2) Establish Voters With Special Needs Advisory Committees;
- (3) Require the Department of Public Safety to inform individuals on parole or probation of their right to vote and provide them with information on how to register and vote; and
- (4) Require the Office of Elections and the county clerks to make a determination, as soon as practicable, of the optimal number and placement of voter service centers.

Your Committee received testimony in support of this measure from the Office of Elections, Disability and Communication Access Board, Office of the County Clerk of the County of Kaua'i, Community Alliance on Prisons, AARP Hawai'i, LGBT Caucus of the Democratic Party of Hawaii, National Federation of the Blind of Hawaii, League of Women Voters of Hawaii, and fifteen individuals. Your Committee received comments on this measure from the Honolulu Elections Division, Office of the County Clerk of the County of Hawaii, Common Cause Hawaii, American Association for the Advancement of Science's Center for Scientific Evidence in Public Issues, Common Cause, and one individual.

Your Committee finds that statewide elections by mail was implemented in the 2020 primary and general elections, with the State receiving a record voter turnout. This measure is necessary to build upon the experience gained in implementing elections by mail. Your Committee further finds that this measure will improve services and opportunities for voters to cast their ballots and the administration of elections by state and county election officials.

Your Committee has amended this measure by:

- (1) Restoring language that clarifies that any person whose name has been removed from the register may have that person's name restored at any time;
- (2) Repealing the requirement that election proclamations contain a statement of the time and places where an election is to be held;
- (3) Specifying that the county clerk, not the Chief Election Officer, shall issue an election proclamation listing all voter service centers and places of deposit as may have been determined by the clerk as of the proclamation date and whenever a new precinct is established in any representative district;
- (4) Deleting language that would have provided a means of electronic authentication for voters with special needs that does not include the voter's handwritten signature or a waiver of secrecy;
- (5) Deleting language that would have required the clerk to make reasonable efforts to determine the validity of ballots within ten days following an election day, instead of seven;
- (6) Amending the requirements for establishing voter service centers;
- (7) Requiring the Chief Election Officer, or county clerk in a county election, to compile, certify, and release the election results by district and precinct;
- (8) Requiring the Hawaii Paroling Authority to notify individuals on parole of their eligibility to vote and provide them with information on how to register and vote; and
- (9) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 548, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 548, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 1341 Judiciary & Hawaiian Affairs on S.B. No. 630

The purpose of this measure is to require that every judgment for child support, including a judgment for reimbursement or other debts, shall be enforceable until paid in full.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that child support judgments are considered paid and discharged when the child turns thirty-three years old or when the latest period provided in section 657-5, Hawaii Revised Statutes, expires, whichever is later. This measure will require that child support be paid in full to be considered discharged.

Your Committee has amended this measure by changing the effective date to July 1, 2021, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 630, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 630, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11; Ayes with Reservations (LoPresti). Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 1342 Judiciary & Hawaiian Affairs on S.B. No. 873

The purpose of this measure is to authorize the use of interactive conference technology for contested case hearings held by state agencies.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, Hawai'i Civil Rights Commission, Maunakea Observatories, and one individual.

Your Committee finds that interactive conference technology is already being utilized for public meetings under Hawaii's Sunshine Law. Your Committee

believes that allowing contested case hearings to be conducted by interactive conference technology will improve efficiency without compromising effectiveness.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 873, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 873, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 1343 Judiciary & Hawaiian Affairs on S.B. No. 891

The purpose of this measure is to:

- (1) Establish requirements for Hawaiian home lands beneficiary consultation;
- (2) Require that a majority of the members of the Hawaiian Homes Commission be descendants of no less than one-fourth part of the blood of the races inhabiting the Hawaiian Islands before 1778 or beneficiaries of the trust who are on the waitlist for Hawaiian home lands;
- (3) Require quarterly reporting to the beneficiaries, registered homestead associations, and Legislature on land dispositions and lease cancellations made during the quarter;
- (4) Authorize the Hawaiian Homes Commission to recommend that the Governor establish an inter-agency council;
- (5) Require a full, annual accounting of Act 14, Special Session Laws of Hawaii 1995, receipts and expenditures;
- (6) Require the Department of Hawaiian Home Lands to develop and implement a loan servicing manual;
- (7) Allow the Department of Hawaiian Homes Lands to retain separate legal counsel or use the services of the Attorney General, as needed; and
- (8) Require the Legislative Reference Bureau to conduct a study on the implications of creating a position for the Director of Hawaiian Home Lands that is separate from the Chairperson of the Hawaiian Homes Commission.

Your Committee received testimony in opposition to this measure from the Department of the Attorney General. Your Committee received comments on this measure from the Department of Hawaiian Home Lands and Legislative Reference Bureau.

Your Committee finds that this measure promotes transparency, accountability, and the policy of the Hawaiian Homes Commission Act, which strives to enable native Hawaiians to return to their lands in order to fully support self-sufficiency and self-determination of native Hawaiians, and the preservation of the values, traditions, and culture of native Hawaiians.

Your Committee has amended this measure by:

- (1) Requiring the Department of Hawaiian Home Lands to submit an annual report to the Legislature no later than twenty days prior to the convening of each Regular Session regarding the beneficiary consultations conducted during the previous year and results from the consultations;
- (2) Deleting language requiring the Department of Hawaiian Home Lands to provide a full, annual accounting of Act 14, Special Session Laws of Hawaii 1995, receipts and expenditures;
- (3) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 891, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 891, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 1344 Judiciary & Hawaiian Affairs on S.B. No. 981

The purpose of this measure is to:

- (1) Restrict the maximum amount of public funds available in each election to a candidate for Board of Trustees of the Office of Hawaiian Affairs to fifteen percent of the expenditure limit, rather than \$1,500;
- (2) Set qualifying contributions for the Office of Hawaiian Affairs at \$5,000, rather than \$1,500; and
- (3) Require that the names of candidates for the Board of Trustees of the Office of Hawaiian Affairs be grouped on the ballot by residency requirement or lack thereof, and within those groupings, be placed in random order.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii, Common Cause Hawaii, LGBT Caucus of the Democratic Party of Hawai'i, Hawaiian Affairs Caucus of the Democratic Party of Hawai'i, and six individuals. Your Committee received comments on this measure from the Office of Elections, Office of Hawaiian Affairs, and Campaign Spending Commission.

Your Committee finds that under existing law, names of candidates for the Board of Trustees of the Office of Hawaiian Affairs are placed on the ballot in alphabetical order. Your Committee further finds that the ordering of candidate names on a ballot has been shown to give an undue advantage to those listed higher on the ballot. Your Committee believes it is necessary to prioritize the mitigation of any advantage that may arise from the order of candidate names on the ballot. Your Committee finds that S.B. No. 238, S.D. 2 (Regular Session of 2021), a substantially similar measure heard at the same public hearing as this measure, would accomplish this goal.

Accordingly, your Committee has amended this measure by deleting its contents and inserting the contents of S.B. No. 238, S.D. 2, a substantially similar measure that:

- (1) Requires the names of the candidates for the Office of Hawaiian Affairs Board of Trustees to be placed on the ballot grouped by residency and non-

residency requirements and to randomize the order of candidate names within those groupings; and

(2) Takes effect upon approval.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 981, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 981, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 1345 Judiciary & Hawaiian Affairs on S.B. No. 1323

The purpose of this measure is to require the Department of Hawaiian Home Lands to develop a long-term strategic plan to eliminate the waitlist for a home land lease based on a comprehensive assessment of the needs of the beneficiaries on the waitlist.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that to date, more than two thousand native Hawaiian beneficiaries have died while on the waitlist for a Hawaiian home land lease, and twenty-eight thousand beneficiaries currently remain on the list, half of which are over the age of sixty. This measure requires the Department of Hawaiian Home Lands to strive to meet the goal of the eventual elimination of the waitlist.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1323, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1323, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 1346 Education/Higher Education & Technology on S.B. No. 245

The purpose of this measure is to require the Department of Education's existing Free Application for Federal Student Aid (FAFSA) working group to create a state plan to make completion of the FAFSA or an opt-out waiver for FAFSA completion a statewide graduation requirement by the 2023-2024 school year and submit a report to the Legislature, Superintendent of Education, and all complex area superintendents prior to the Regular Session of 2022.

Your Committees received testimony in support of this measure from the Chamber of Commerce Hawaii, HawaiiKidsCAN, Maui Chamber of Commerce, and one individual. Your Committees received testimony in support of the intent of this measure from the Association of Hawaiian Civic Clubs. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Education, Office of Information Practices, and League of Women Voters of Hawaii.

Your Committees find that Hawaii left \$10,000,000 in unclaimed federal Pell Grants on the table in 2018, enough to send roughly 2,500 students to a University of Hawaii community college tuition-free. Your Committees further find that in 2016, the State of Louisiana began requiring students to fill out the FAFSA because more than half of high school seniors were not completing the paperwork for FAFSA. Louisiana is now ranked first in the nation for FAFSA completion. This measure will allow the State to develop a plan to also require FAFSA completion, including an opt-out provision for FAFSA completion, for students in Hawaii.

Your Committees have amended this measure by:

- (1) Changing its effective date to July 1, 2051; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Education and Higher Education & Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 245, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 245, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Education: Ayes, 11. Noes, none. Excused, 1 (Ohno).

Higher Education & Technology: Ayes, 11. Noes, none. Excused, 1 (Ohno).

SCRep. 1347 Education on S.B. No. 811

The purpose of this measure is to require the Department of Education to publish weekly reports on schools that have reported positive coronavirus disease 2019 (COVID-19) cases on the Department's website, beginning after July 1, 2021.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawaii State Teachers Association, and three individuals. Your Committee received comments on this measure from the Department of Health and Department of Education.

Your Committee finds that although the Department of Education has stated that it has communication policies and set procedures in place to address COVID-19 cases, it generally has not provided information about positive COVID-19 test result cases on all school campuses and the limited information that it has shared has been inconsistent and incomplete. Your Committee further finds that of the limited information publicly released, positive COVID-19 cases listed by schools are not included. This measure will help to provide critical, real-time data necessary to assess school reopening and to respond to COVID-19 outbreak events that may place students, their families, and school staff at a heightened risk.

Your Committee has amended this measure by changing the effective date to July 1, 2051.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 811, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 811, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Okimoto). Noes, none. Excused, 2 (Gates, Yamane).

SCRep. 1348 Education on S.B. No. 814

The purpose of this measure is to:

- (1) Clarify the process for applicants to apply to open and operate a charter school; and
- (2) Provide for penalties for authorizers who fail to timely comply with the Board of Education's decisions.

Your Committee received testimony in support of this measure from Kulia Academy and three individuals. Your Committee received comments on this measure from the Board of Education and State Public Charter School Commission.

Your Committee finds that H.B. No. 1220, H.D. 2 (Regular Session of 2021), a substantially similar measure, was previously passed by the House. Your Committee further finds that H.B. No. 1220, H.D. 2 does not contain a provision regarding penalties for authorizers who fail to timely comply with the Board of Education's decisions, which will assuage concerns related to such penalties.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. No. 1220, H.D. 2, a measure that:
 - (A) Requires members of the Charter School Commission to collectively possess strong experience and expertise in various fields;
 - (B) Allows a charter school authorizer's staff to provide technical support up until the completed charter application is submitted;
 - (C) Clarifies charter application notice requirements;
 - (D) Clarifies authorizer compliance requirements in cases of an appeal; and
 - (E) Contains an effective date of July 1, 2050; and
- (2) 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 is in accord with the intent and purpose of S.B. No. 814, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 814, S.D.1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Ohno).

SCRep. 1349 Education on S.B. No. 1384

The purpose of this measure is to provide that the prohibition against serving two consecutive terms not to exceed eight consecutive years for members of state boards and commissions shall not apply to the term of the representative of Hawaiian medium early learning providers on the Early Learning Board from July 1, 2021, to June 30, 2025.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; University of Hawai'i at Hilo; one member of the Maui County Council; 'Aha Pūnana Leo; Pūnana Leo o Hilo; Pūnana Leo o Waimea; Pūnana Leo o Kona; Pūnana Leo o Maui; Pūnana Leo o Lahaina; Pūnana Leo o Hāna; Pūnana Leo o Moloka'i; Pūnana Leo o Mānoa; Pūnana Leo o Honolulu; Pūnana Leo o Poko; Pūnana Leo o Wai'anae; Pūnana Leo o Kaua'i; Pūnana Leo; Ke'ena Kula Kamali'i; Kaulanakilohana; and numerous individuals. Your Committee received testimony in support of the intent of this measure from the Executive Office on Early Learning and Early Learning Board. Your Committee received comments on this measure from one individual.

Your Committee finds that the Early Learning Board is primarily tasked with the development of the State's early childhood system to ensure a spectrum of high-quality development and learning opportunities for children throughout the State, from prenatal care until when children enter kindergarten. Your Committee further finds that learning opportunities that promote the study of Hawaiian culture, history, and language are necessary parts to be included within the State's early childhood system. This measure will allow for continued and consistent representation of Hawaiian medium early learning providers on the Early Learning Board.

Your Committee has amended this measure by:

- (1) Removing the sunset date of July 1, 2025; and
- (2) Changing its effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1384, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1384, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Gates, Yamane).

SCRep. 1350 Education on S.B. No. 1385

The purpose of this measure is to require the Department of Education to:

- (1) Develop a reorganization plan to provide students and schools with centralized transportation services;
- (2) Develop a plan to provide students with more locally produced food to increase by five percent annually for five years; and
- (3) Report to the Legislature on certain information relating to the plans.

Your Committee received testimony in support of this measure from the Department of Education, Hawai'i Farm Bureau, and three individuals. Your Committee received testimony in support of the intent of this measure from Ulupono Initiative.

Your Committee finds that the overall program management and service delivery of food and transportation services are, for the most part, centralized. Your Committee further finds that reorganization to provide further centralization in these areas can lead to additional efficiencies and service improvements.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2051; and
- (2) 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 is in accord with the intent and purpose of S.B. No. 1385, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1385, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Gates, Yamane).

SCRep. 1351 Education on S.B. No. 808

The purpose of this measure is to:

- (1) Clarify the powers and responsibilities of the School Facilities Agency, the Agency's Executive Director and administrative staff, and the School Facilities Board;
- (2) Clarify the membership of the School Facilities Board;
- (3) Clarify the sources of moneys to be deposited into the School Facilities Special Fund;
- (4) Change the deadline for the School Facilities Agency to submit its report to the Legislature pursuant to Act 72, Session Laws of Hawaii 2020, to twenty days prior to the convening of the Regular Session of 2022;
- (5) Amend Act 210, Session Laws of Hawaii 2018, to require the City and County of Honolulu to convey to the School Facilities Agency fee simple interest in certain properties not previously conveyed to the Department of Education;
- (6) Authorize the School Facilities Agency to retain private attorneys to provide certain legal services;
- (7) Exempt the Executive Director of the School Facilities Agency and the agency's full-time staff from civil service requirements;
- (8) Subject to the statutory restriction on the sale or gift of lands without legislative approval lands to which the School Facilities Agency holds title;
- (9) Clarify the definition of the term "school facilities" as the term relates to school impact fees;
- (10) Transfer the total balance of the State Educational Facilities Improvement Fund to the School Facilities Special Fund; and
- (11) Appropriate monies into and out of the School Facilities Special Fund.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Department of Transportation. Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received comments on this measure from the Department of the Attorney General, Department of Education, and State Procurement Office.

Your Committee finds that Act 72, Session Laws of Hawaii 2020, established the School Facilities Agency, to be responsible for the development, planning, and construction of public school capital improvement projects and help improve the efficiency of school construction while more directly addressing the education needs of students. Your Committee further finds that this measure will provide more clarity as to the powers and responsibilities of the School Facilities Agency, the Agency's Executive Director and administrative staff, and the School Facilities Board, which will improve the Agency's overall efficiency and effectiveness.

Your Committee has amended this measure by:

- (1) Renaming the School Facilities Agency to the School Facilities Authority;
- (2) Clarifying the definition of "project", as it relates to the School Facilities Authority, to include new capital improvement projects funded by the Legislature for completion by the School Facilities Authority;
- (3) Specifying that the School Facilities Authority may borrow money or procure loan guarantees from the federal government for or in aid of any project the Authority is authorized to undertake;
- (4) Changing its effective date to July 1, 2051; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 808, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 808, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Gates, Yamane).

SCRep. 1352 Pandemic & Disaster Preparedness on S.B. No. 540

The purpose of this measure is to:

- (1) Allow for lesser emergency period penalties to be adopted by the Governor or a mayor;
- (2) Allow for the emergency period infractions to be processed similarly to the traffic adjudication process;
- (3) Allow electronic copies of notices of infractions, infraction adjudication hearings, and notices of infraction judgments to be sent via electronic mail; and
- (4) Grant the District Court concurrent jurisdiction over emergency period rule infractions committed by minors.

Your Committee received testimony in support of this measure from the Department of the Attorney General and Department of the Prosecuting Attorney of the City and County of Honolulu. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic necessitated the Governor to exercise emergency powers to impose rules to control the spread of COVID-19. The adoption of these emergency rules allowed the State to reduce the spread of COVID-19, thereby protecting residents and visitors of the State. However, your Committee notes that under these emergency rules, there were over sixty thousand emergency order violations issued in the last year, and each violation is punishable as a misdemeanor. While enforcement of emergency rules is critical to protect citizens, there needs to be equitable penalties established that appropriately reflect the severity of the violation, rather than considering all violations as a criminal offense. This measure will reduce the burden on the State's court system and law enforcement resources by allowing for lesser emergency period penalties during a state of emergency.

Your Committee has amended this measure by:

- (1) Clarifying the definition of "hearing" to properly encompass traffic infractions and emergency period infractions;
- (2) Authorizing, instead of requiring, an electronic notice of infraction to be sent to an individual's electronic mail address; 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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 540, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 540, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 1353 Pandemic & Disaster Preparedness on S.B. No. 266

The purpose of this measure is to appropriate funds for COVID-19 response programs and activities.

Your Committee received testimony in support of this measure from the Department of Human Services, Department of Defense, Department of Public Safety, Hawaii Health Systems Corporation, and Hawai'i Primary Care Association. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic has devastated the world and crippled the State's economy. Congress passed the Coronavirus Aid, Relief, and Economic Security Act on March 27, 2020, and American Rescue Plan Act on March 11, 2021, to help the State address the extensive health and economic fallout of the COVID-19 pandemic. This measure will ensure COVID-19 response related programs maintain their funding so that the State may continue offering essential services to its residents.

Your Committee further finds that as a result of the COVID-19 pandemic, the State implemented the very first post-arrival mandatory self-quarantine of all individuals entering the State. This was eventually expanded to allow certain individuals who could prove that they recently tested negative for COVID-19 to bypass the quarantine. This resulted in Hawaii having one of the lowest number of cases of COVID-19 in the nation; however, at the same time it caused Hawaii to have one of the highest unemployment rates in the nation. Your Committee believes that having a uniform law regarding mandatory self-quarantine will allow the State to welcome more people, thereby stimulating the economy and improving the quality of life for its citizens. House Bill No. 1286, H.D. 2, Regular Session of 2021, which passed out of the House, sought to achieve this goal by establishing the foundation for a uniform law and your Committee believes this discussion should be continued.

Accordingly, your Committee has amended this measure by:

- (1) Inserting the contents of House Bill No. 1286, H.D. 2, Regular Session of 2021;
- (2) Requiring that should any project or program related to COVID-19 response efforts paid for by state funds later become eligible for federal reimbursement, those federal funds shall be deposited into the general fund;
- (3) Lapsing funds from the Major Disaster Fund to the general fund on July 1, 2021; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 266, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 266, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, 1 (McKelvey). Excused, none.

SCRep. 1354 Pandemic & Disaster Preparedness on S.B. No. 1015

The purpose of this measure is to require the Comptroller to perform additional office space management duties for state agencies occupying facilities that are managed by the Department of Accounting and General Services.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services.

Your Committee finds that remote teleworking during the coronavirus disease 2019 pandemic has allowed the State to make better use of its limited resources, including office space, equipment, and other traditional needs of employees at state facilities. Your Committee believes that as a result, a re-assessment of the State's current and future office space is needed to better prepare the State for possibly transitioning more employees to remote teleworking.

Your Committee has amended this measure by:

- (1) Requiring the Comptroller to reduce the total square footage of space leased by the State as of July 1, 2021, by twenty-five percent no later than July 1, 2026;
- (2) Requiring an annual progress report to be submitted to the Legislature; 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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1015, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1015, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 1355 Pandemic & Disaster Preparedness on S.B. No. 1109

The purpose of this measure is to establish a framework for disaster recovery in the State.

Your Committee received testimony in support of this measure from the Department of Defense, State Disaster Recovery Coordinator of the Office of the Governor, Hawaii Emergency Management Agency, Office of Planning, and one individual.

Your Committee finds that efficient and effective disaster recovery efforts require the coordination of numerous public and private entities. Your Committee believes that the State is in need of a single leading authority to facilitate the identification, coordination, and delivery of recovery assistance during and after a disaster. This measure will help to enhance the coordination of all affected stakeholders, mitigate the impacts of disasters, and improve disaster recovery

efforts by establishing a disaster recovery program and framework for the State.

Your Committee has amended this measure by:

- (1) Requiring that the State Disaster Recovery Coordinator report to the Administrator of the Hawaii Emergency Management Agency, rather than the Governor; and
- (2) 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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1109, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1109, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 1356 Pandemic & Disaster Preparedness on S.B. No. 1117

The purpose of this measure is to make an emergency appropriation for the Office of the Governor to continue funding for various COVID-19 response related programs and activities.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Hawai'i Primary Care Association.

Your Committee finds that the United States Congress passed the Coronavirus Aid, Relief, and Economic Security Act on March 27, 2020, and American Rescue Plan Act on March 11, 2021, to provide economic relief to citizens and states. This measure is necessary to continue to provide funding necessary for COVID-19 related response programs to ensure the health and welfare of residents and visitors of the State.

Your Committee notes that there may be a conflict with the title of this measure as passed out of the Senate specifically with the language that makes an appropriation for fiscal year 2021-2022 to the Department of the Attorney General and respectfully requests that should your Committee on Finance hear this measure, that they address this potential conflict.

Your Committee has amended this measure by:

- (1) Requiring that should any project or program paid for by State funds become eligible for federal reimbursement, those federal funds shall be deposited into the general fund; and
- (2) 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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1117, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1117, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 1357 Pandemic & Disaster Preparedness/Corrections, Military, & Veterans on S.B. No. 1194

The purpose of this measure is to make emergency appropriations to the Department of Public Safety to continue funding for certain programs and activities related to COVID-19 response efforts.

Your Committees received testimony in support of this measure from the Department of Public Safety and one individual.

Your Committees find that in order for the Department of Public Safety to effectively continue the level of care and safety at all correctional facilities, and provide the law enforcement presence necessary to make COVID-19 response efforts successful, the Department requires appropriate levels of funding to support these programs and activities. This measure will provide the Department of Public Safety the necessary funding it requires to ensure the continued protection of residents and visitors in the State by making emergency appropriations for COVID-19 response efforts.

Your Committees have amended this measure by:

- (1) Changing all emergency appropriation amounts to unspecified amounts; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Pandemic & Disaster Preparedness and Corrections, Military, & Veterans that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1194, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1194, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Pandemic & Disaster Preparedness: Ayes, 7. Noes, none. Excused, 2 (Mizuno, Ward).

Corrections, Military, & Veterans: Ayes, 8. Noes, none. Excused, none.

SCRep. 1358 Government Reform on S.B. No. 399

The purpose of this measure is to:

- (1) Provide that certain rights shall be deemed waived if a preliminary determination of probable cause is rendered during a meeting subject to the requirements of chapter 92, Hawaii Revised Statutes, and the person fails to request a contested case hearing within twenty days of receipt of the preliminary determination; and
- (2) Authorize the Campaign Spending Commission to have an order confirmed as a judgment by the First Circuit Court, without the possibility of appeal.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, League of Women Voters of Hawaii, and one individual.

Your Committee notes the concerns raised in testimony by Common Cause Hawaii, that the language in this measure stating that an order by the Campaign Spending Commission can be confirmed as a non-appealable judgement may deny a person's right to due process and access to the courts. Your Committee further notes that this language may overstep into the responsibilities of the Judiciary.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have made an order of the Campaign Spending Commission that is confirmed as a judgment by the First Circuit Court non-appealable; and
- (2) Changing its effective date to July 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 399, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 399, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 1359 Government Reform on S.B. No. 403

The purpose of this measure is to:

- (1) Exempt candidates who are either unsuccessful or elected to office in a primary election from the requirement to file certain preliminary general reports for the following general election; and
- (2) Clarify the aggregate contribution and expenditure amounts that trigger the requirement for a candidate or noncandidate committee to file only the final election period report.

Your Committee received testimony in support of this measure from the Campaign Spending Commission.

Your Committee finds that reporting requirements under campaign finance law are important to maintain transparency and fairness in elections. Your Committee further finds that preliminary reports are due throughout the spring, summer, and fall in an election year. Your Committee notes that the final two preliminary reports are due between the primary election and the subsequent general election and that requiring candidates who are either unsuccessful or who have been elected to office in a primary election to file preliminary reports between the primary and subsequent general election is wasteful and unnecessary. However, your Committee is concerned that a candidate who is unsuccessful in a primary election may continue to raise money if the candidate still intends to be involved in political activity. This concern is amplified when a candidate wins outright in the primary election, as the money raised as a new incumbent during this time period will not be reported.

Your Committee has accordingly amended this measure by clarifying that a candidate who is unsuccessful in a primary, initial special, or initial nonpartisan election and does not intend to remain politically active after the primary, initial special, or initial nonpartisan election through the subsequent general election shall be exempt from the requirement to file preliminary general reports for the following general election.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 403, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 403, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 3 (Ichiyama, Mizuno, Ward).

SCRep. 1360 Water & Land on S.B. No. 474

The purpose of this measure is to require that mandatory seller disclosures in real property transactions include as a material fact, an indication that a residential real property lies within the sea level rise exposure area.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Climate Change Mitigation and Adaptation Commission; City and County of Honolulu Office of Climate Change, Sustainability and Resiliency; Hawai'i Reef Ocean Coalition; Hawaii Shore and Beach Preservation Association; Sierra Club of Hawai'i; Imua Alliance; Hawai'i Association of REALTORS; Surfrider Foundation Hawai'i Region; and one individual.

Your Committee finds that the Hawaii Climate Change Mitigation and Adaptation Commission, established by Act 32, Session Laws of Hawaii 2017, is the coordinating body for policies on climate change mitigation and adaptation for the State. At its September 2018 meeting, the Hawaii Climate Change Mitigation and Adaptation Commission agreed to five priority recommendations for countering impacts of sea level rise, including supporting legislation for disclosure for private property and public offerings in areas with potential exposure to sea level rise. Your Committee further finds that it is critical that sea level rise vulnerabilities be disclosed with the sale of a vulnerable coastal property to support informed decision making by buyers and government agencies. Your Committee also finds that the appropriate mechanism to accomplish this disclosure is through the mandatory seller disclosures contained in section 508D-15, Hawaii Revised Statutes.

Your Committee has amended this measure by:

- (1) Changing the way in which the flood maps designating the boundaries of a special flood hazard area are referenced in the mandatory seller disclosure provision; and
- (2) 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 474, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 474, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 1361 Water & Land on S.B. No. 1173

The purpose of this measure is to facilitate stewardship of Hawaii's ocean resources by:

- (1) Establishing the Ocean Stewardship Special Fund for the conservation, restoration, and enhancement of the State's marine resources; and
- (2) Authorizing the Department of Land and Natural Resources to adopt rules pursuant to Chapter 91, Hawaii Revised Statutes, to establish non-resident user fees for the use and enjoyment of Hawaii's ocean resources, to be deposited into the Ocean Stewardship Special Fund.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, The Nature Conservancy Hawai'i, Mālama Pūpūkea-Waimea, Kua'āina Ulu 'Auamo, Hawaii Reef and Ocean Coalition, and two individuals. Your Committee received

comments on this measure from the Pacific Whale Foundation and Ocean Tourism Coalition.

Your Committee finds that the increasing popularity of marine ecotourism and the broad range of anthropogenic impacts on coral reefs and other ocean resources necessitate a commensurate, consistent, and reliable source of funding, such as the non-resident fees, for the State to manage, protect, and restore its marine resources.

Your Committee further finds that the companion to this measure, H.B. No. 1019, H.D. 2 (Regular Session of 2021), was previously passed by the House and is preferred.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. No. 1019, H.D. 2, a substantially similar measure that:
 - (A) Establishes the Ocean Stewardship Special Fund until June 30, 2026, to support the conservation, restoration, and enhancement of the State's marine resources;
 - (B) Statutorily establishes an ocean stewardship user fee to apply to residents as well as non-residents;
 - (C) Initially sets the ocean stewardship user fee at \$1 per passenger or customer and requires that the user fee be adjusted for inflation every five years; provided that the fee cannot be adjusted more than ten percent every five years; and
 - (D) Begins collection of the ocean stewardship user fee on January 1, 2024;
- (2) Repealing and abolishing the Ocean Stewardship Special Fund on June 30, 2030, instead of June 30, 2026; and
- (3) Changing its effective date to upon approval.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1173, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1173, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, 1 (McDermott). Excused, 1 (Ohno).

SCRep. 1362 Water & Land on S.B. No. 1344

The purpose of this measure is to require:

- (1) The Department of Agriculture, in coordination with the Office of Planning, to prepare and periodically update the State Agriculture Functional Plan to include other agricultural economic updates, including updates on seafood sustainability that expand the State's priority on food by including wild seafood as a viable food source; and
- (2) The Governor to submit the State Agriculture Functional Plan, including any proposed legislation, to the Legislature prior to the convening of the 2023 Regular Session.

Your Committee received testimony in support of this measure from the University of Hawaii West Oahu Food+ Policy Internship; Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.; Fishing Tales with Mike Sakamoto; and ten individuals. Your Committee received comments on this measure from the Office of Planning; Department of Agriculture; United Fishing Agency, Ltd.; and Hawaii Seafood Council.

Your Committee finds that seafood sustainability is vital to the planning of Hawaii's overall food sustainability and food security. Updating the State Agriculture Functional Plan to include updates on seafood sustainability and wild seafood as a viable food source will also have an effect on policies, programs, and projects for implementing agricultural and agriculture-related objectives, policies, and priority guidelines in the Hawaii State Plan.

Your Committee has amended this measure by:

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

Your Committee encourages the Department of Land and Natural Resource's Division of Aquatic Resources to be closely engaged in the process to update the State Agriculture Functional Plan to ensure that wild seafood is incorporated in the functional plan and ensure that the role of open ocean aquaculture is addressed in the functional plan as well.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1344, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1344, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 1363 Water & Land on S.B. No. 795

The purpose of this measure is to:

- (1) Require the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources to set its small boat harbor mooring and liveaboard fees at fair market value, as determined by a state-licensed appraiser, without separate nonresident fees and cost-of-living adjustments; and
- (2) Allow the Division of Boating and Ocean Recreation an additional option in determining commercial ocean operation fees.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual. Your Committee received testimony in opposition to this measure from Ocean People, Inc.; Paradise Fishing Club; and fifteen individuals. Your Committee received comments on this measure from the Ocean Tourism Coalition and one individual.

Your Committee finds that this measure will allow the Division of Boating and Ocean Recreation to maximize its revenue-generating potential and perform much needed repairs and maintenance on state small boat harbor facilities. This measure will also add the option to charge a commercial fee per passenger carried for hire, which would allow the Department to collect appropriate fee amounts in the event that an operator attempts to circumvent the gross receipt collection method.

Your Committee has amended this measure by:

- (1) Removing the savings clause; and
- (2) 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 795, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 795, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (McDermott). Noes, none. Excused, 1 (Ohno).

SCRep. 1364 Water & Land/Energy & Environmental Protection on S.B. No. 1162

The purpose of this measure is to update the Forest Stewardship Program administered by the Board of Land and Natural Resources by:

- (1) Clarifying the purpose of the Forest Stewardship Program;
- (2) Expanding the areas of approved management activities and practices that are eligible for cost-share assistance under the Forest Stewardship Program;
- (3) Increasing the limit for payments from the Forest Stewardship Fund for development of approved management plans and allowing payments from the Fund for implementation of approved management plans; and
- (4) Amending requirements for applicants to receive Forest Stewardship Program funds.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Climate Protectors Hawai‘i; Hāloa ‘Āina L.L.C.; Forest Solutions, Inc; and one individual.

Your Committees find that sixty-six percent of Hawaii's forested areas are privately owned and managed. The Forest Stewardship Program provides technical and financial assistance on a cost-share basis to private landowners to promote the stewardship, enhancement, conservation, and restoration of Hawaii's forests. By extending program eligibility to private forest managers and expanding the ecosystem services that may be provided by private forests, your Committees find that this measure will improve forest management on private lands, expand conservation of native forests, increase reforestation of degraded lands, and stimulate investment in forestry as an economically viable and sustainable land-use practice.

As affirmed by the records of votes of the members of your Committees on Water & Land and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1162, S.D. 2, and recommend that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Water & Land: Ayes, 8. Noes, none. Excused, none.

Energy & Environmental Protection: Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1365 Education on S.B. No. 807

The purpose of this measure is to:

- (1) Require the academic plan for each school to include a clear accounting of all resources that will be allocated to address and achieve each measurable outcome, the school's priority improvement strategies and measures to determine progress, and certain assessment scores; and
- (2) Require the Department of Education to submit an annual report to the Legislature and the Board of Education on the academic and financial plan of each school, grouped by complex area.

Your Committee received testimony in support of this measure from the Hui for Excellence in Education. Your Committee received testimony in opposition to this measure from the Democratic Party of Hawai‘i Education Caucus, Our Revolution Hawaii, Americans for Democratic Action, Hawaii State Teachers Association, and numerous individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that there is a greater need for transparency and accountability from the Department of Education. Your Committee further finds that establishing clear guidance for what should be included in a school's academic plan will better inform the Legislature, Board of Education, and communities of what the school's measurable outcomes are and how resources are allocated to achieve those outcomes.

Your Committee has amended this measure by:

- (1) Clarifying that the academic plan for a school shall include student growth indicators, which may include but not be limited to the school's National Assessment of Educational Progress assessment scores and authentic assessment results;
- (2) Removing the requirement that a school's academic plan include the school's year-to-year Strive HI scores;
- (3) Requiring that a school's academic plan include:
 - (A) Information about programs intended to address social and economic conditions that adversely impact student learning;
 - (B) A breakdown of certain information regarding teacher vacancy data; and
 - (C) The average class size for all regular education, special education, and content based English language learning, classes, including any plans to reduce class sizes;
- (4) Inserting a definition for "authentic assessment";
- (5) Changing its effective date to July 1, 2050; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the amendments made to this measure were based on recommendations offered by the Hawaii State Teachers Association and others.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 807, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 807, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Quinlan).

SCRep. 1366 Labor & Tourism on S.B. No. 628

The purpose of this measure is to:

- (1) Begin the transfer of the Oahu Regional Health Care System in its entirety from the Hawaii Health Systems Corporation to the Department of Health;
- (2) Authorize the Department of Health to conduct long-term care and substance abuse treatment at Leahi Hospital and Maluhia and to pay rent for the use of the Leahi Hospital property;
- (3) Require the Department of Health to consult with the University of Hawaii regarding programs at Leahi Hospital and Maluhia and allow University of Hawaii students to rotate through those facilities for training purposes;
- (4) Enable the Oahu Regional Health Care System, Department of Health, Hawaii Health Systems Corporation, and other state agencies to implement the processes required to complete the transition;
- (5) Clarify the rights, powers, and exemptions of the Oahu Regional System Board during the transition period of the Oahu Regional Health Care System into the Department of Health, and the rights, powers, and exemptions of the Inpatient Services Division of the Department of Health after the transition is complete;
- (6) Authorize the issuance of general obligation bonds for improvements to Leahi Hospital and Maluhia; and
- (7) Appropriate funds from the Mental Health and Substance Abuse Special Fund to operate Leahi Hospital and Maluhia.

Your Committee received testimony in support of this measure from the Department of Health, University of Hawai'i System, Oahu Region of the Hawaii Health Systems Corporation, and The Queen's Health Systems. Your Committee received testimony in opposition to this measure from the State Procurement Office. Your Committee received comments on this measure from the Department of the Attorney General and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that, unlike the Hawaii Health System Corporation's neighbor island facilities, which generally serve as the primary acute care providers for their respective communities, the Oahu Regional Health Care System care facilities almost exclusively provide safety-net, long-term care and adult-day health services to patients who are unable to find much-needed care in private facilities. Your Committee further finds that the Oahu Regional Health Care System care facilities provide care for incarcerated inmates released for compassionate care and psychiatric patients from the Hawaii State Hospital who have significant long-term care needs. The transfer will ensure the continued availability of long-term care beds for the State's aging population and facilitate more efficient use of the facilities at Leahi Hospital and Maluhia.

Your Committee also finds that the Department of Health's Behavioral Health Administration is mandated by statute to assure a comprehensive statewide behavioral health care system by leveraging and coordinating public, private, and community resources. There is a significant gap in the behavioral health care system between acute psychiatric care facilities and low acuity residential treatment. This measure would provide additional pathways and resources for the State to better address behavioral health treatment, helping to break the cycle in and out of hospital emergency departments and relieve pressure on acute care hospital facilities, law enforcement entities, and other systems of care.

Your Committee has amended this measure by:

- (1) Deleting language that would have allowed instances of layoffs as an exception to automatic job retention for non-civil service employees for no less than one year after the transition;
- (2) Clarifying that the Department of Health is the expending agency for the general obligation bonds appropriation for improvements at Leahi Hospital and Maluhia; 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 628, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 628, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 1367 Energy & Environmental Protection on S.B. No. 1353

The purpose of this measure is to:

- (1) Expand the duties of the Hawaii State Energy Office to include developing opportunities for economic development; and
- (2) Transfer certain duties relating to energy efficiency, renewable energy, energy resilience, and clean transportation related incentives, programs, and goals from the Chief Energy Officer to the Hawaii State Energy Office.

Your Committee received testimony in support of this measure from the Hawaii Clean Power Alliance. Your Committee received testimony in opposition to this measure from the Climate Protectors Coalition. Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee finds that as the State achieves its renewable energy goals by 2045, it may be necessary and appropriate for the Hawaii State Energy Office to develop economic opportunities, especially in the current economic climate. This measure expands the duties of the Hawaii State Energy Office to identify and explore opportunities for significant economic development in its promotion of energy efficiency, renewable energy, energy resilience, and clean transportation.

Your Committee has amended this measure by:

- (1) Clarifying that the purpose of the Hawaii State Energy Office shall be to promote energy efficiency, renewable energy, energy resilience, and clean transportation, and to facilitate the achievement of a zero emissions clean economy;
- (2) Clarifying the responsibilities of the Hawaii State Energy Office by:
 - (A) Restoring provisions relating to providing analysis and planning; providing renewable energy, energy efficiency, energy resiliency, and clean transportation project deployment facilitation; and engaging the private sector to achieve renewable energy and clean transportation goals;
 - (B) Ensuring that all of the duties of the Chief Energy Officer are transferred to the Hawaii State Energy Office; and
 - (C) Assigning the Office additional responsibilities relating to advocacy and program recommendation, providing technical assistance, and facilitating workforce development;

- (3) Deleting certain requirements for annual reports by the Hawaii State Energy Office;
- (4) Deleting certain background requirements of the Chief Energy Officer;
- (5) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1353, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1353, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1368 Energy & Environmental Protection on S.B. No. 167

The purpose of this measure is to:

- (1) Establish objectives, policies, and priority guidelines for state facility systems in the Hawaii State Planning Act to achieve the use of green infrastructure, vegetation, and trees in state facility systems, infrastructure, and transit projects; and
- (2) Require the Office of Planning, in partnership with the Greenhouse Gas Sequestration Task Force, to make recommendations to the Legislature for implementing green infrastructure objectives, policies, and priority guidelines.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Department of Health; Office of Hawaiian Affairs; Office of Planning; Climate Protectors Hawaii; Americans for Democratic Action; Kauai Climate Action Coalition; Environmental Caucus of the Democratic Party of Hawai'i; Painting Industry of Hawaii Labor Management Cooperation Trust Fund; Hawaii Tapers Market Recovery Trust Fund; Hawaii Glaziers, Architectural Metal Glassworkers Local Union 1889 AFL-CIO Stabilization Trust Fund; Carpet, Linoleum and Soft Tile Local Union 1926 Market Recovery Trust Fund; and two individuals. Your Committee received testimony in opposition to this measure from three individuals.

Your Committee finds that sustainable design concepts for public infrastructure incorporate green vegetation and trees, which can produce significant improvements to mental health and have positive psychological and quality of life benefits in a community. This measure ensures the establishment of critical ecosystem services in the State and demonstrates the State's commitment toward a zero emissions clean economy by 2045.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 167, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 167, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1369 Transportation on S.B. No. 651

The purpose of this measure is to rename the Kahului Airport Access Road on the island of Maui to the Mayor Elmer F. Cravalho Way.

Your Committee received testimony in support of this measure from one member of the Maui County Council and five individuals. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that Mayor Elmer Cravalho is known as an iconic figure throughout the County of Maui and around the State for his work in creating a robust economy in tourism and high technology. Mayor Cravalho held various leadership positions in the public and private sectors within the County of Maui and State of Hawaii, having served as the first Speaker of the House of Representatives from 1959 to 1967 and then the first Mayor of Maui until July 24, 1979. Your Committee believes that naming the Kahului Airport Access Road after Mayor Cravalho is an appropriate way to recognize the legacy of Mayor Cravalho in the County of Maui.

Your Committee has amended this measure by changing the effective date to July 1, 2021.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 651, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 651, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Takumi).

SCRep. 1370 Transportation on S.B. No. 256

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist Keahole Hotel & Suites, LLC, with planning, designing, constructing, and equipping hotel facilities at the Ellison Onizuka Kona International Airport at Keahole.

Your Committee received testimony in support of this measure from the Kohala Coast Resort Association. Your Committee received comments on this measure from the Department of Transportation, Department of Budget and Finance, and UNITE HERE! Local 5 Hawaii.

Your Committee finds that the construction of hotel facilities at the Ellison Onizuka Kona International Airport would generate revenue for the State through taxes, sales, and leases, while also creating hundreds of jobs in various sectors such as construction, engineering, and accounting. This measure is necessary to help restore the State's revenues and further develop the Ellison Onizuka Kona International Airport.

Your Committee notes the testimony received by UNITE HERE! Local 5 Hawaii, requesting an amendment to ensure that proposed hotel facilities constructed under this measure are operated only by entities that have entered into a valid and binding agreement with the labor organization representing hotel employees.

Your Committee further notes the testimonies received by the Department of Transportation and Department of Budget and Finance regarding federal law requiring that hotels financed with tax-exempt bond proceeds must be either governmentally owned and operated by a governmental unit or certain private

entities, and available for use by the general public for short term stays. In addition, your Committee recognizes possible federal and contractual restrictions on how the Airports Division of the Department of Transportation uses airport revenues and that airport revenues would presumably not be available to support this measure. As such, your Committee requests that the aforementioned testimonies be considered as this measure moves through the legislative process.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 256, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 256, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Takumi).

SCRep. 1371 Transportation on S.B. No. 375

The purpose of this measure is to require the Department of Transportation to conduct a study to determine the feasibility of repairing or renovating the Kalaeloa Airport air traffic control tower.

Your Committee received testimony in support of this measure from the Department of Transportation, Kapolei-Makakilo Neighborhood Board Transportation Committee, Palehua Townhouse Association, and Aircraft Owners and Pilots Association.

Your Committee finds that the Kalaeloa Airport air traffic control tower is considered critical infrastructure as its users include the United States Coast Guard, Hawaii Community College Flight Program, Hawaii National Guard, and the general aviation community. While recent major improvements were made to the Kalaeloa facilities, your Committee notes that improvements to the air control tower have not been made. Your Committee believes that the importance of the air control tower in the day-to-day operations of the Kalaeloa Airport merits a study be conducted to determine the current structural soundness of the tower.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 375, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Takumi).

SCRep. 1372 Transportation on S.B. No. 1291

The purpose of this measure is to:

- (1) Include autocycles equipped with handlebars in the definition of motorcycle in the Hawaii Safety Act; and
- (2) Exempt motorcycles and motor scooters with a roll bar, roll cage, or fully enclosed cab from the safety helmet requirement.

Your Committee received testimony in support of this measure from the Department of Transportation, Chamber of Commerce Hawaii, Arcimoto, Forth, and one individual.

Your Committee finds that electric three-wheeled vehicles that are similar to motorcycles are becoming increasingly popular throughout the State. However, under existing law, it is unclear whether these vehicles are classified as motorcycles or autocycles, therefore causing confusion as to which type of license is required to drive them. This measure will clarify this issue so that vehicles with handlebars and three wheels can meet the definition of the type of vehicles that may be operated with a general class 3 driver's license.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1291, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1291, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Takumi).

SCRep. 1373 Culture, Arts, & International Affairs on S.B. No. 60

The purpose of this measure is to authorize the issuance of special license plates for electric vehicles to commemorate the Polynesian Voyaging Society.

Your Committee received testimony in support of this measure from the Polynesian Voyaging Society and seven individuals.

Your Committee finds that a special license plate will support the ongoing work done by the Polynesian Voyaging Society to preserve and promote the art and science of traditional Polynesian voyaging.

Your Committee finds that H.B. No. 627, H.D. 1, a substantially similar measure, was previously passed by the House and is preferred.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. 627, H.D. 1, a measure that authorizes the issuance of special license plates to commemorate the Polynesian Voyaging Society to any registered owner of all motor vehicles, rather than only electric vehicles;
- (2) Changing the effective date to July 1, 2065, to encourage further discussion; 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 Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 60, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 60, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1374 Culture, Arts, & International Affairs on S.B. No. 315

The purpose of this measure is to appropriate federal funds to support the Bernice Pauahi Bishop Museum, designated as the State of Hawaii Museum of Natural and Cultural History.

Your Committee received testimony in support of this measure from the Bishop Museum, Charles Reed Bishop Trust, Society for Hawaiian Archaeology, and two individuals.

Your Committee finds that the Bernice Pauahi Bishop Museum is a distinguished scientific, cultural, and educational institution that is tasked with the responsibility to preserve and protect the State's invaluable collections of primary source material and over one hundred years of research across the Pacific region. Your Committee further finds that the American Rescue Plan Act of 2021, Public Law 117-2, provides grants to museums, libraries, and Native American and Native Hawaiian communities to support the vital programs and services these institutions provide to their communities.

Your Committee has amended this measure by:

- (1) Identifying the American Rescue Plan Act of 2021, Public Law 117-2, as the source of federal funds received by the State for the purpose of this measure; and
- (2) 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 Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 315, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 315, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1375 Culture, Arts, & International Affairs on S.B. No. 696

The purpose of this measure is to:

- (1) Extend the date on which the Commission on the Thirteenth Festival of Pacific Arts ceases to exist to August 31, 2025; and
- (2) Permit less than a quorum of Commission members to discuss matters outside a Commission meeting to enable them to perform their duties faithfully, provided the Commission holds a properly noticed public meeting at least once a month.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Tourism Authority; Commission on the Thirteenth Festival of Pacific Arts and Culture; Ebb & Flow Arts; and two individuals. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that Act 104, Session Laws of Hawaii 2017, created the temporary Commission on the Thirteenth Festival of Pacific Arts (Commission) to plan the Festival of Pacific Arts originally scheduled to be held in Hawaii in June 2020. Your Committee further finds that because of the global COVID-19 pandemic, the Festival of Pacific Arts was postponed to 2024. As a result, the Commission, which was to cease to exist on June 30, 2021, must be extended to fulfill its duties.

Your Committee further finds that because of a lack of a contractor to carry out the hands-on details of a festival, Commission members have responded by taking on more hands-on tasks. That has resulted in smaller groups of Commission members needing to communicate outside of publicly noticed meetings to carry out their tasks. This measure will balance the public interest in access to government decision-making while allowing Commission members to carry out the hands-on tasks of running a festival.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 696, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1376 Housing on S.B. No. 867

The purpose of this measure is to increase the availability of housing for low-income individuals by extending the sunset date for the low-income housing tax credit provisions made by Act 129, Session Laws of Hawaii 2019, to the Low-income Housing Tax Credit Program, for six years to December 31, 2027.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation; Department of Community Services of the City and County of Honolulu; Neighborhood Place of Puna; and NAIOP Hawaii. Your Committee received comments on this measure from the Department of Taxation; Department of Budget and Finance; Tax Foundation of Hawaii; Sugar Creek Capital; Hunt Companies – Hawaii; and Hunt Capital Partners, LLC.

Your Committee finds that extending the availability of the low-income housing tax credit for qualified low-income buildings for six years will help mitigate the affordable housing crisis in the State that was exacerbated by the coronavirus disease 2019.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 1, 2050, to encourage further discussion; and
- (2) 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 867, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 867, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Aquino, Takumi, McDermott).

SCRep. 1377 Housing on S.B. No. 39

The purpose of this measure is to:

- (1) Clarify that the eligibility for the general excise tax exemption includes the nonreceipt of direct or indirect financing for the construction project from any other governmental contracting agency of the State, including the Hawaii Housing Finance and Development Corporation; and

- (2) Remove the limit on the type of costs eligible for exemption from the general excise tax for the development of affordable rental housing certified by the Hawaii Housing Finance and Development Corporation.

Your Committee received testimony in support of this measure from The Michaels Organization, Kohala Coast Resort Association, and NAIOP Hawaii. Your Committee received comments on this measure from the Department of Labor and Industrial Relations, Department of Budget and Finance, Hawaii Housing Finance and Development Corporation, and Hawaii Regional Council of Carpenters.

Your Committee finds that removing the limits on the general excise tax exemption for affordable rental housing is intended to help incentivize the construction of more affordable rentals in the State.

Your Committee has amended this measure by:

- (1) Clarifying that the eligibility for the general excise tax exemption includes the nonreceipt of direct or indirect financing for the construction project from only the Hawaii Housing Finance and Development Corporation; and
- (2) Specifying that the development of certified affordable rental housing new construction or substantial rehabilitation projects may receive a waiver of various development related fees from a county.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 39, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 39, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Aquino, McDermott).

SCRep. 1378 Housing on S.B. No. 142

The purpose of this measure is to exempt certain housing developments from the school impact fee.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority and Catholic Charities Hawai'i. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that thousands of Hawaii residents are on the wait list for public housing, as there are not enough affordable housing projects to meet demand. An increase in the supply of affordable housing is necessary to meet Hawaii's housing needs. Your Committee finds that exempting certain housing development projects from the school impact fee will make development of those projects more financially viable, thus increasing the housing supply.

Your Committee has amended this measure by:

- (1) Specifying that affordable housing units in projects or property developed by the Hawaii Public Housing Authority are exempt from the school impact fee;
- (2) Exempting affordable housing units in projects assisted by the Hawaii Housing Finance and Development Corporation from the school impact fee;
- (3) Changing the effective date to December 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 142, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 142, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1379 Housing on S.B. No. 799

The purpose of this measure is to:

- (1) Make condominium laws regarding sales to owner-occupants inapplicable to time share units; and
- (2) Increase the minimum percentage of residential units in a condominium project that must be offered for sale to prospective owner-occupants in the thirty-day period following the initial date of sale of the condominium from at least fifty percent to at least sixty-seven percent.

Your Committee received testimony in support of this measure from two individuals.

Your Committee finds that this measure is intended to address housing needs for residents in the State by increasing the amount of residential unit stock available for sale to prospective owner-occupants.

Your Committee has amended this measure by:

- (1) Increasing the minimum percentage of residential units in a condominium project that must be offered for sale to prospective owner-occupants in the thirty-day period following the initial date of sale of the condominium to ninety percent, rather than sixty-seven percent; and
- (2) Changing the effective date to December 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 799, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 799, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1380 Housing on S.B. No. 804

The purpose of this measure is to:

- (1) Authorize the Hawaii Public Housing Authority and Hawaii Housing Finance and Development Corporation to provide affordable rental housing for teachers employed by the Department of Education and public charter schools;
- (2) Appropriate funds to the Hawaii Public Housing Authority for the provision of rental housing for public school teachers and public charter school

teachers;

- (3) Authorize the Hawaii Housing Finance and Development Corporation to contract or sponsor with any state or county department or agency for affordable housing for public school teachers;
- (4) Appropriate funds into and out of the Dwelling Unit Revolving Fund for the development of rental housing for teachers;
- (5) Require the Department of Education to lease land and contract with private entities for the development, management, maintenance, or revitalization of teacher housing; and
- (6) Permit the private entity leasing land from the Department of Education to lease to other eligible tenants under certain circumstances.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii Public Housing Authority, and Hawaii State Teachers Association. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and Stanford Carr Development, LLC.

Your Committee finds that there continues to be a significant shortage of qualified teachers in public school classrooms throughout the State. The State's high cost of living and lack of affordable housing are two factors contributing to teachers leaving the profession or leaving the State. Your Committee further finds that a January 2020 compensation study contracted by the Department of Education indicated that seventy-eight percent of survey respondents indicated that the lack of housing availability negatively impacted teacher retention in Hawaii. Furthermore, a December 2020 comparison report developed for the Department of Education on teacher recruitment revealed that similarly situated school districts in other states provide greater opportunities for low- to no-cost teacher housing for full-time employees. Providing rental housing projects for public school and charter school teachers as provided in this measure is critical to teacher recruitment and retention in Hawaii.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 1, 2050, to encourage further discussion; and
- (2) 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 804, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 804, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1381 Pandemic & Disaster Preparedness/Health, Human Services, & Homelessness on S.B. No. 1156

The purpose of this measure is to make an emergency appropriation to the Department of Health for the State of Hawaii coronavirus disease 2019 vaccination plan.

Your Committees received testimony in support of this measure from the Department of Health and Hawai'i Primary Care Association.

Your Committees find that the distribution of vaccinations is a key element in addressing the COVID-19 pandemic. Your Committees note that while the federal government is paying for COVID-19 vaccine doses, the State is still burdened with implementation and administrative costs. The Department of Health also plays a pivotal role in addressing the COVID-19 pandemic and requires sufficient funding to protect the State's residents. This measure is necessary to provide the Department of Health with the critical resources to implement the State's vaccination plan and ensure the continuation of the State's efforts to mitigate the effects of COVID-19.

Your Committees have amended this measure by:

- (1) Inserting emergency appropriations of unspecified amounts for various COVID-19 response efforts;
- (2) Requiring that should any project or program paid for by state funds become eligible for federal reimbursement, those federal funds shall be deposited into the general fund; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committees respectfully request that should your Committee on Finance hear this measure, that it consider appropriating the following dollar amounts received from the Department of Health:

- (1) \$3,336,000 for the continuation of contracted disease investigation, contact tracing, and first contact callers for COVID-19 positive cases and close contacts;
- (2) \$250,000 for additional supplies for front-line public health workers;
- (3) \$21,667 for additional testing, personal protective equipment, and industrial hygiene services for Kalaupapa residents traveling to Oahu for medical care;
- (4) \$275,000 for overtime pay for public health nurses for COVID-19 surge response efforts;
- (5) \$75,000 for the Hawaii district health office to rent a temporary space for contracted workers;
- (6) \$275,000 to contract out first contact calling services for contact tracing support;
- (7) \$2,000,000 for tests contracted with Diagnostic Labs and Clinical Labs, including the Department of Public Safety inmate testing, and for the implementation of pediatric-oriented testing strategy; and
- (8) \$3,300 for tuberculosis clearance requirements for health care volunteers in vaccination operations.

As affirmed by the records of votes of the members of your Committees on Pandemic & Disaster Preparedness and Health, Human Services, & Homelessness that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1156, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1156, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Pandemic & Disaster Preparedness: Ayes, 8. Noes, none. Excused, 1 (Woodson).

Health, Human Services, & Homelessness: Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1382 Pandemic & Disaster Preparedness on S.B. No. 1034

The purpose of this measure is to:

- (1) Authorize boards to use interactive conference technology to remotely conduct public hearings;
- (2) Establish requirements, including new notice requirements, for the conduct of a remote meeting;
- (3) Require a meeting held by interactive conference technology to be automatically recessed for up to twenty minutes to restore communication under certain circumstances; and
- (4) Allow for additional courtesy sites open to the public for remote and in-person meetings held by interactive conference technology.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Public Safety, Disability and Communication Access Board, Hawai'i Civil Rights Commission, Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees, State Council on Developmental Disabilities, Employees' Retirement System, Office of the Board of Regents of the University of Hawai'i System, Office of Information Practice, two members of the Maui County Council, Common Cause Hawaii, National Federation of the Blind of Hawaii, All Hawaii News, Waikiki Neighborhood Board, Transform Hawai'i Government, Society of Professional Journalists Hawaii Chapter, Civil Beat Law Center for the Public Interest, and two individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Hawaii State Public Library System.

Your Committee finds that the ability to allow the public to view and participate in meetings of public agencies is a fundamental necessity for democracy to thrive. Your Committee further finds that as a result of the coronavirus disease 2019, the State's Sunshine Law was suspended to ensure the safety of employees, thereby changing the focus from in-person meetings to virtual meetings. Virtual meetings have increased transparency by allowing more public members to participate in meetings, regardless of their physical location. Your Committee believes that this practice should continue to increase transparency and ensure active participation from the public.

Your Committee notes that disability accessibility requirements are currently covered under federal and state laws and other agencies are responsible for ensuring compliance with the Americans with Disabilities Act, rather than the Office of Information Practices. Your Committee believes that establishing a new cause of action under the Sunshine Law for disability rights would create confusion, government inefficiency, and potential conflicts between existing laws and agencies. While your Committee understands there may be issues with enforcement, your Committee believes these provisions should be addressed in the relevant laws by the agencies already administering it and not in the Sunshine Law.

Accordingly, your Committee has amended this measure by:

- (1) Specifying that a notice shall list at least one meeting location that is open to the public that has an audio-visual connection only if requested by a member of the public at least seventy-two hours prior to the meeting;
- (2) Deleting language that would have required interactive conference technology used for a remote meeting to include captioning services through the streaming provider or through an outside service, and any related language;
- (3) Deleting language that would have required a meeting be recessed or terminated if connection to an additional public location is interrupted in a way that interferes with an Americans with Disabilities Act accommodation and any related language;
- (4) Deleting language that would have required any additional public location to be provided with accommodations pursuant to the Americans with Disabilities Act upon request from a member of the public;
- (5) Restoring language that required a meeting held by interactive conference technology to be automatically recessed for up to one hour, rather than twenty minutes;
- (6) Clarifying the definition of "interactive conference technology" by removing the requirement that the technology be accessible to and usable by individuals with disabilities;
- (7) Removing language relating to notice requirements for instructions on how to request an auxiliary aid or service or an accommodation due to a disability for all locations specified in the notice; and
- (8) 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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1034, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1034, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, none.

SCRep. 1383 Water & Land on S.B. No. 225

The purpose of this measure is to:

- (1) Specify that the cost of regional infrastructure improvements made by the Hawaii Housing Finance and Development Corporation may be assessed against transit-oriented development projects specially benefiting from the improvements, as determined by the Corporation; and
- (2) Require the Hawaii Interagency Council for Transit-Oriented Development to review and make recommendations on applications for subaccount funds for infrastructure projects related to transit-oriented development.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Office of Planning, and Hawaii Interagency Council for Transit-Oriented Development.

Your Committee finds that the cost of offsite infrastructure is a major barrier to achieving the potential of transit-oriented development statewide. This measure will facilitate state investment in needed transit-oriented development infrastructure by allowing the Hawaii Housing Finance and Development Corporation to recover upfront costs through assessments against projects that specially benefit from those infrastructure improvements. Your Committee further finds that the Hawaii Interagency Council for Transit-Oriented Development can provide valuable input on aligning funding requests with the principles and priorities contained in the "State Strategic Plan for Transit-Oriented Development" issued by the Council.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 225, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1384 Water & Land on S.B. No. 140

The purpose of this measure is to:

- (1) Require the Hawaii Community Development Authority to develop a transit-oriented development zone improvement program;
- (2) Amend the membership of the Hawaii Community Development Authority for matters affecting transit-oriented development zones; and
- (3) Authorize the Hawaii Community Development Authority to establish transit-oriented development zones for lands within county-designated transit-oriented development zones or within a one-half mile radius around existing transit stations.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Community Development Authority, and Office of Planning. Your Committee received testimony in opposition to this measure from six individuals. Your Committee received comments on this measure from Hawaii's Thousand Friends and the Kaka'ako Makai Community Planning Advisory Council.

Your Committee finds that transit-oriented development can eventually produce a broad range of social, environmental, and economic benefits to the State and its people. This measure would provide the Hawaii Community Development Authority with flexibility to coordinate--in collaboration with affected state, county, and private-sector stakeholders--the planning, financing, and delivery of regional infrastructure for transit-oriented development on Oahu and the neighbor islands.

Your Committee has amended this measure by 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 140, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 140, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Branco, Ganaden). Noes, none. Excused, 1 (McDermott).

SCRep. 1385 Health, Human Services, & Homelessness on S.B. No. 280

The purpose of this measure is to:

- (1) Codify the administrative definition of "assistance animal" for the purposes of real estate transactions;
- (2) Clarify the type of verification an individual may provide to establish the need for an assistance animal; and
- (3) Specify that the possession of a vest or other distinguishing animal garment, tag, or registration document commonly purchased online and purporting to identify an animal as a service animal or assistance animal does not constitute a valid verification of a disability-related need for an assistance animal.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Associa, Hawaii Disability Rights Center, Hawai'i Association of REALTORS, and one individual. Your Committee received comments on this measure from the Disability and Communication Access Board and Community Associations Institute.

Your Committee finds that the statutory definition of "service animal", which is used in the general context of the Americans with Disabilities Act, is limited to a dog that has been trained to do work or perform a specific task to assist a person with a disability, while the term "assistance animal", which is used in the context of federal and state fair housing laws, applies more broadly to a wider category of animals who provide support, including emotional support animals and service animals. Your Committee further finds that while "assistance animal" is not codified in statute, it is defined in the Hawaii Administrative Rules. This measure provides clarity on the type of information that may be used when verifying the need for an assistance animal in a real estate transaction.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 280, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 280, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1386 Health, Human Services, & Homelessness on S.B. No. 410

The purpose of this measure is to add abuse of a family or household member to those felonies that qualify for repeat offender sentencing.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, and Department of the Prosecuting Attorney of the County of Maui. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that the abuse of family or household members is among the most repeated offenses. Your Committee further finds that under existing law, the abuse of family or household members is not included in the offenses that qualify for repeat offender sentencing.

Your Committee has amended this measure by changing the effective date to July 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 410, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 410, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1387 Health, Human Services, & Homelessness on S.B. No. 512

The purpose of this measure is to expand the Hawaii Healthy Food Incentive Program, also known as the Double Up Food Bucks Program, administered by the Department of Agriculture to make fresh fruits and vegetables more readily accessible to families or individuals in Hawaii who receive assistance through

the federal Supplemental Nutrition Assistance Program by:

- (1) Removing the \$10 per visit per day cap on the dollar-for-dollar match received by Supplemental Nutrition Assistance Program beneficiaries under the Double Up Food Bucks Program; and
- (2) Specifying that healthy proteins are eligible purchases under the Program.

Your Committee received testimony in support of this measure from the Department of Agriculture; Department of Health; Office of Planning; City and County of Honolulu Department of Community Services; City and County of Honolulu Office of Climate Change, Sustainability, and Resiliency; AARP Hawai'i; Land Use Research Foundation of Hawaii; Chamber of Commerce Hawaii; Blue Zones Project; Sierra Club of Hawai'i; Hawai'i Community Foundation; Hawaii Children's Action Network Speaks!; Early Childhood Action Strategy; 'Ohana Health Plan; Hawai'i Pacific Health; Kaiser Permanente Hawai'i; Hawaii Association of Health Plans; Hawaii Medical Service Association; Hawaii Appleseed Center for Law & Economic Justice; Hawai'i Alliance for Community Based Economic Development; Hawaii Primary Care Association; Ka Ohana O Na Pua; AlohaCare; Kauai Climate Action Coalition; Kamehameha Schools; League of Women Voters of Hawaii; 350Hawaii.org; Hawaii Food Industry Association; Uluopono Initiative; Hawai'i Farm Bureau; Our Revolution Hawaii; The Food Basket - Hawai'i Island's Food Bank; Foresight/Policy Analysis; Hawaii Foodbank; Hawai'i Public Health Institute; Lanakila Meals on Wheels; Parents And Children Together; Hawai'i Alliance for Progressive Action; We Are One, Inc.; Health Committee and Environmental Caucus of the Democratic Party of Hawai'i; and numerous individuals. Your Committee received comments on this measure from the Department of Human Services; Executive Office on Early Learning; University of Hawai'i System; and American Heart Association.

Your Committee finds that the consumption of fresh fruits and vegetables is an integral part of a healthy diet and is central to preventing obesity and other chronic diseases. However, because of the high cost associated with fresh produce, access to fresh fruits and vegetables can be difficult for income-limited individuals. Your Committee further finds that the Double Up Food Bucks Program is an existing program that supports both local farmers and lower-income individuals by providing a dollar-for-dollar match to Supplemental Nutrition Assistance Program beneficiaries who purchase locally-grown fruits and vegetables at participating farmers' markets, grocery stores, and community-supported agriculture projects. This measure promotes public health through increased access to fresh produce and healthy proteins for lower-income individuals.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 512, S.D. 2, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 512, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1388 Health, Human Services, & Homelessness on S.B. No. 1018

The purpose of this measure is to establish a two-year reorganization pilot project within the Department of Health to shift and reorganize the Department's functions, positions, and funding in the Behavioral Health Services Administration; Environmental Health Administration; General Administration, including the Office of the Director of Health; and Health Resources Administration.

Your Committee received testimony in support of this measure from the Department of Health.

Your Committee finds that the COVID-19 pandemic has highlighted the need for greater flexibility, responsiveness, transparency, and accountability in how the State interacts with and responds to the community, particularly in the provision of health care services. Many current structures and processes have hindered or challenged agencies in their ability to responsively, promptly, effectively, and efficiently provide the services demanded by the public. Your Committee further finds that attempts by executive branch departments to modernize and realign programmatic and staffing structures through program reorganizations can take two or more years to complete, and program reorganizations are often not approved until long after the original purpose for the reorganization has lapsed.

Your Committee has amended this measure by:

- (1) Requiring the reorganization pilot program to begin with the reorganization of the Behavioral Health Services Administration;
- (2) Specifying that the reorganization of the Behavioral Health Services Administration is to begin upon the approval of this measure;
- (3) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1018, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1018, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1389 Health, Human Services, & Homelessness on S.B. No. 1127

The purpose of this measure is to make an emergency appropriation to the Department of Human Services to fund general assistance payments in the current fiscal year.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Department of Human Services, Hawaii Primary Care Association, Catholic Charities Hawai'i, Neighborhood Place of Puna, and HOPE Services Hawaii.

Your Committee finds that due to the COVID-19 pandemic, the number of individuals receiving general assistance benefits increased by more than thirty-one percent from February to October 2020. The Department of Human Services' General Assistance Program is one hundred percent state funded. There are currently no federal funds available to support this program. Your Committee further finds that without an emergency appropriation, the Department of Human Services will expend all appropriated funds for the General Assistance Program before the end of the current fiscal year and will be unable to maintain the current monthly general assistance allowance.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1127, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1127, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Har, LoPresti).

SCRep. 1390 Health, Human Services, & Homelessness on S.B. No. 1128

The purpose of this measure is to establish:

- (1) Self-funded commercial enterprises vocational programs within the Office of Youth Services for disenfranchised young adults; and
- (2) The Office of Youth Services Revolving Fund within the Office of Youth Services, for the receipt of income and payment of expenses generated from the commercial enterprise vocational programs.

Your Committee received testimony in support of this measure from the Department of Human Services, Department of Hawaiian Home Lands, Office of Hawaiian Affairs, Hawaiian Homes Commission, Community Alliance on Prisons, Kinai 'Eha, Papa Ola Lōkahi, Kamehameha Schools, Institute for Native Pacific Education and Culture, 'Iolani Palace, Council for Native Hawaiian Advancement, Partners in Development Foundation, The Queen's Health Systems, Boys & Girls Club of Hawaii, Kanaeokana, Bishop Museum, 'Aha Ho'ona'auau 'Ōiwi Hawai'i, and five individuals.

Your Committee finds that Act 201, Session Laws of Hawaii 2014, was enacted to reform and improve the State's juvenile justice system. Since then, there has been a twenty-six percent reduction in admissions to the Hawaii Youth Correctional Facility. Your Committee further finds that Kawaioloa Youth and Family Wellness Center was established by Act 208, Session Laws of Hawaii 2018, to provide services for at-risk youth and young adults, including skills building, vocational training, and economic programming. The additional source of revenue proposed by this measure will support the Office of Youth Services' ongoing efforts to promote self-sustainability in at-risk youth and young adults.

Your Committee has amended this measure by:

- (1) Requiring the Office of Youth Services to provide annual reports to the Legislature on the fiscal transactions and expenses of each service or program;
- (2) Requiring the Director of Human Services to conduct an immediate audit of the Office of Youth Services if the annual reports on the fiscal transactions and expenses of each service or program are not submitted in a timely manner;
- (3) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1128, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1128, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1391 Health, Human Services, & Homelessness on S.B. No. 1137

The purpose of this measure is to increase the cap for the Spouse and Child Abuse Special Fund to allow up to \$5,000,000 of federal reimbursements received from the United States Department of Health and Human Services, Administration for Children and Families, to be retained in the year following the fiscal year in which Family First Prevention Services funds and Title IV-E funds were expended.

Your Committee received testimony in support of this measure from the Department of Human Services and Domestic Violence Action Center.

Your Committee finds that approximately \$5,000,000 in federal Title IV-E reimbursements are returned by the Department of Human Services to the general fund when those reimbursements are received in the fiscal year after the funds were expended, partially because the State and federal fiscal years are not on the same twelve-month cycle. Your Committee finds that allowing the Department of Human Services to retain the amount returned will provide the Department with a stable and predictable source of non-federal funds eligible for federal reimbursement to administer programs and services that prevent, reduce, and respond to the impacts or incidents of spouse abuse and child abuse and neglect.

Your Committee has amended this measure by:

- (1) Changing the increased cap for the Spouse and Child Abuse Special Fund to an unspecified amount;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1137, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1137, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1392 Health, Human Services, & Homelessness on S.B. No. 1138

The purpose of this measure is to:

- (1) Increase the annual expenditure ceiling of the Office of Healthcare Assurance Special Fund through the state budget process; and
- (2) Authorize the Director of Health to approve emergency spending beyond the established budget ceiling.

Your Committee received testimony in support of this measure from the Department of Health.

Your Committee finds that this measure will reduce the Office of Health Care Assurance's reliance on general funds and allow for greater flexibility in addressing unplanned and emergency needs.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1138, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1138, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1393 Health, Human Services, & Homelessness on S.B. No. 1144

The purpose of this measure is to increase marriage license fees to:

- (1) Fund modernization of the vital statistics system;
- (2) Support the Hawaii Birth Defects Program; and
- (3) More fairly compensate marriage license agents.

Your Committee received testimony in support of this measure from the Department of Health.

Your Committee finds that marriage license fees support the Hawaii Birth Defects Program, pay into the Spouse and Child Abuse Special Fund, and provide compensation for non-civil service marriage license agents. Your Committee further finds that the allocation for the Hawaii Birth Defects Program was set at \$10 in 2002 and the allocation to compensate marriage license agents was set at \$9 in 1998. Neither allocation has been adjusted to meet rising operating and salary costs and your Committee finds that the money collected from marriage license fees is no longer adequate to support these activities. Increasing marriage license fees and reallocating funds from those fees will ensure the Hawaii Birth Defects Program maintains adequate funding to fulfill its mandated responsibilities and appropriately compensate marriage license agents.

Your Committee has amended this measure by:

- (1) Removing remittance of a portion of the marriage license fees to the Vital Statistics Improvement Special fund;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1144, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1144, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Ward). Noes, none. Excused, 1 (LoPresti).

SCRep. 1394 Health, Human Services, & Homelessness on S.B. No. 1150

The purpose of this measure is to authorize the Department of Health to accept nationally recognized accreditation or certification organizations to demonstrate a skilled nursing facility's compliance with the licensing inspection requirements required by the State.

Your Committee received testimony in support of this measure from the Department of Health. Your Committee received comments on this measure from the Healthcare Association of Hawaii.

Your Committee finds that national organizations such as The Joint Commission provide accreditation or certification for skilled nursing facilities. Your Committee further finds that allowing the Department of Health to recognize these organizations and accept their accreditation and certification reviews for State licensing purposes will allow the Department to more effectively deploy its limited resources while continuing its regulatory oversight responsibilities.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1150, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1150, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1395 Consumer Protection & Commerce on S.B. No. 764

The purpose of this measure is to bring the State in substantial compliance with federal regulations by requiring the examiner of drivers to disqualify, for life, any person from driving a commercial motor vehicle if the person uses a commercial motor vehicle in the commission of any felony involving a severe form of trafficking in persons.

Your Committee received testimony in support of this measure from the Department of Transportation and Hawaii Transportation Association.

Your Committee finds that on July 23, 2019, the Federal Motor Carrier Safety Administration issued a final rule that amends title 49 Code of Federal Regulations parts 383 and 384 to permanently disqualify individuals convicted of the felony severe form of trafficking in persons from driving a commercial motor vehicle (Final Rule). The Final Rule also requires states to be in substantial compliance with the Final Rule within three years from the date the Final Rule became effective, which was September 23, 2019.

Your Committee further finds that for purposes of determining substantial compliance with the Final Rule, a state shall disqualify an individual from operating a commercial motor vehicle for the same reasons and time periods for which the Secretary of Transportation disqualifies the individual for certain acts. If a state fails to be in substantial compliance with the Final Rule within three years, the federal government is authorized to withhold certain federal funding. In the first year a state fails to be in substantial compliance, four percent of certain federal funds are withheld; for Hawaii, this would be equivalent

to \$6,185,220. In subsequent years a state fails to be in substantial compliance, eight percent of certain federal funds are withheld; for Hawaii, this would be equivalent to \$12,370,440.

Your Committee, however, finds that the definition of "severe form of trafficking in persons" in this measure deviates from the federal definition. Your Committee notes that H.B. No. 459, H.D. 2 (Regular Session of 2021), which was previously passed by the House, is preferable because it aligns the definition of "severe form of trafficking in persons" with the federal definition.

Accordingly, your Committee has amended this measure by deleting its contents and inserting the contents of H.B. No. 459, H.D. 2, a substantially similar measure that:

- (1) Requires the examiner of drivers to disqualify, for life, any person from driving a commercial motor vehicle if the person uses a commercial motor vehicle in the commission of any felony involving a severe form of trafficking in persons; and
- (2) Takes effect on January 1, 2050.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 764, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 764, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1396 Consumer Protection & Commerce on S.B. No. 309

The purpose of this measure is to include under the offense of violation of privacy in the first degree the intentional creation or disclosure or threat of disclosure of certain types of deep fake images or video.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the County of Maui, Honolulu Police Department, Department of the Prosecuting Attorney of the City and County of Honolulu, LGBT Caucus of the Democratic Party of Hawaii, SAG-AFTRA Hawaii Local, Imua Alliance, Hawaii State AFL-CIO, International Longshore & Warehouse Union Local 142, International Brotherhood of Electrical Workers Local 1260, IATSE Local 665, Iron Workers Stabilization Fund, and four individuals. Your Committee received comments on this measure from the Motion Picture Association - America.

Your Committee finds that H.C.R. No. 225, H.D. 1, S.D. 1 (Regular Session of 2019), established the Twenty-First Century Privacy Law Task Force (Task Force) and tasked the Task Force to examine and recommend laws and regulations relating to internet privacy; the collection, transmission, processing, protection, storage, and sale of personal data; hacking; data breaches; and other similar subjects.

Your Committee further finds that, among the various areas of risk the Task Force discussed, the Task Force discussed and examined deep fake technology. Deep fake technology is the process of digitally manipulating existing audio and video to depict a person doing or saying something that they did not say or do. Identifying false video and audio employing the use of deep fake technology can be difficult for an unaware viewer. Additionally, deep fake technology is increasingly being used to depict individuals as engaging in sexual activity or as performing in the nude without consent or participation, with the intent of causing economic, reputational, and emotional harm.

Your Committee finds that, among the several recommendations made by the Task Force, the Task Force recommended addressing the issue of deep fake technology by establishing criminal violations for those who violate a person's privacy through the creation or disclosure of deep fake videos that include the likeness of another person engaging in sexual conduct or performing in the nude without consent or participation. This measure will protect the people of the State from the malicious use of this emerging technology.

Your Committee has amended this measure by:

- (1) Clarifying that the composite image or video depicting the fictitious person be a realistic photographic image or video;
- (2) Applying the reasonable person standard to the fictitious image of the depicted person;
- (3) Requiring that the depicted person suffer harm as a result of the realistic photographic image or video;
- (4) Exempting realistic photographic images or videos that are a matter of legitimate public concern; have political or newsworthy value; or are commentary, criticism, or disclosures that are otherwise protected by the United States Constitution and Hawaii State Constitution;
- (5) Changing the effective date to December 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 309, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 309, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1397 Consumer Protection & Commerce on S.B. No. 599

The purpose of this measure is to establish continuing education requirements for massage therapists, beginning with renewals for the biennium period beginning July 1, 2024.

Your Committee received testimony in support of this measure from the Board of Massage Therapy, American Massage Therapy Association – Hawaii Chapter, and two individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that forty states require massage therapists to complete continuing education before license renewals are granted. Your Committee further finds that requiring continuing education allows licensed massage therapists to remain current on best industry practices and will elevate the massage therapy profession in Hawaii to the highest standards of quality and safety.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee

is in accord with the intent and purpose of S.B. No. 599, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 599, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1398 Consumer Protection & Commerce on S.B. No. 1240

The purpose of this measure is to require the State to conform to those provisions of the federal Consolidated Appropriations Act, 2021, relating to taxable income and deductible expenses.

Your Committee received testimony in support of this measure from Island Plastic Bags, Inc.; Hawaii Restaurant Association; National Federation of Independent Business; Chamber of Commerce Hawaii; Hawaii Automobile Dealers' Association; FCH Enterprises; Hawaii Food Industry Association; IL Gelato Hawaii; Kalaheo Coffee Co. Inc.; ABC Stores; Hawaii Association of Public Accountants; MW Group, Ltd.; Milici Valenti Ng Pack, Inc.; Prince Resorts Hawaii; Mauna Kea Resort LLC; Mauna Kea Resort Services LLC; KYD, Inc.; Suisan Company, Ltd.; Hawai'i Lodging & Tourism Association; Aloha Business Bitz, Inc.; Coconut's Fish Cafe; Retail Merchants of Hawaii; Maui Chamber of Commerce; T S Restaurants; Hawai'i Island Chamber of Commerce; Seal Masters of Hawaii; and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Taxation, and Tax Foundation of Hawaii.

Your Committee finds that the Consolidated Appropriations Act, 2021, Public Law 116-260, was enacted by the federal government on December 27, 2020. The federal Act, among other things, provides federal funding and stipulates federal tax treatment of certain taxable income and deductible expenses.

Your Committee has amended this measure by changing the effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1240, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1240, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1399 Consumer Protection & Commerce on S.B. No. 320

The purpose of this measure is to require each tax return preparer to:

- (1) Have a valid preparer tax identification number issued by the Internal Revenue Services; and
- (2) Include the valid preparer tax identification number on any return or claim for refund prepared for compensation as required by the Department of Taxation.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that many tax return preparers in Hawaii operate with little State oversight or accountability. This measure will ensure that tax return preparers are held accountable for the returns they prepare by requiring all tax return preparers to have a preparer tax identification number and include it on any return or claim for refund.

Your Committee further finds that continuing education requirements ensure that professionals are knowledgeable of the latest best practices. Several states, including California, Iowa, Maryland, New York, and Oregon, require continuing education for tax return preparers. Your Committee finds that this is an additional and appropriate method of ensuring that tax return preparers have some competence in preparing tax returns.

Your Committee has amended this measure by:

- (1) Establishing a continuing education requirement of four hours in a calendar year, beginning with calendar year 2022;
- (2) Specifying that the continuing education courses must be approved by the Board of Public Accountancy;
- (3) Requiring the Board of Public Accountancy to adopt rules regarding continuing education, including compliance procedures and penalties for violations;
- (4) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 320, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 320, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 1400 Consumer Protection & Commerce on S.B. No. 1096

The purpose of this measure is to make various amendments to the State's insurance laws. Specifically, this measure:

- (1) Institutes certain consumer protections with regard to public adjusters, by:
 - (A) Requiring certain contractual terms and disclosures;
 - (B) Specifying the commissions, fee, or other compensation that public adjusters may charge cannot be unreasonable; and
 - (C) Specifying that insureds have a right to rescind that contract, with certain restrictions;
- (2) Imposes the standard of conduct that is applied to other insurers upon limited lines motor vehicle rental company producers, owners of self-service storage facilities, and vendors of portable electronics;
- (3) Authorizes the Insurance Commissioner to waive or modify, in whole or part, upon a showing of good cause, any or all fees deposited into the Commissioner's Education and Training Fund and Compliance Resolution Fund;
- (4) Mandates the electronic payment of certain taxes and electronic filing of certain reports, and updates the system utilized for electronic filing;

- (5) Corrects an inaccuracy by stating that public adjusters and bill reviewers handle funds, not premiums;
- (6) Reinstates the right to an administrative hearing and appeal from an order that was inadvertently repealed by Act 279, Session Laws of Hawaii 2019;
- (7) Amends the composition and criteria for choosing members of the Hawaii Joint Underwriting Plan Board of Governors;
- (8) Clarifies that rewards under wellness programs that meet certain criteria do not constitute a rebate by insurers to insureds;
- (9) Deletes the statutory date for extensions of certificates of authority for risk retention groups and authorizes the Insurance Commissioner to establish the dates consistent with the Insurance Commissioner's authority to establish dates for extensions for other insurers under the Insurance Code; and
- (10) Repeals the \$140 penalty imposed on pharmacy benefit managers for failure to renew their registration.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Hawaii Medical Service Association; Kaiser Permanente Hawai'i; American Insurance Group, Inc.; and American Association of Public Insurance Adjusters. Your Committee received comments on this measure from the American Council of Life Insurers.

Your Committee finds that updating the State's insurance laws is necessary to increase clarity, provide greater protections to consumers, and improve the administration and enforcement of regulated entities. This measure will accomplish all of these objectives.

Your Committee has amended this measure by:

- (1) Lowering the minimum nonforfeiture interest rate from one percent to fifteen-hundredth of one percent;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1096, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1096, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 1401 Consumer Protection & Commerce on S.B. No. 1098

The purpose of this measure is to adopt certain provisions of the National Association of Insurance Commissioners' Producer Licensing Model Act, Public Adjuster Licensing Model Act, Reinsurance Intermediary Model Act, and Independent Adjuster Licensing Model Guidelines to provide consistency and promote efficiency in processing insurance licensing fees, applications, certificates, registrations, and renewals.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that this measure consolidates licenses, registrations, and fees issued by the Insurance Division of the Department of Commerce and Consumer Affairs under article 7 of the Insurance Code, relating to fees, taxes, and deposits, which will increase clarity and transparency. Your Committee further finds that this measure will facilitate the Insurance Division's transition to the electronic processing of insurance licensing fees, certificates, registrations, and renewals, which will make this process more efficient, accurate, and timely.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1098, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1098, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 1402 Consumer Protection & Commerce on S.B. No. 1102

The purpose of this measure is to authorize promoters of mixed martial arts events to compensate contestants and their managers in cash.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that mixed martial arts events are very susceptible to last-minute changes. For example, a contestant could fail to make weight, which occurs the day before a contest, or could be injured. When a change occurs at the last minute, promoters often have insufficient time to go to a financial institution to obtain new cashier's or certified checks, which are the only forms of payment allowed under existing law. This measure would provide promoters with the necessary flexibility to compensate contestants and their managers in a timely manner.

Your Committee has amended this measure by changing the effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1102, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1102, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 1403 Consumer Protection & Commerce on S.B. No. 1103

The purpose of this measure is to provide flexibility and discretion to the Board of Public Accountancy in the selection of members for the Board's Peer Review Oversight Committee.

Your Committee received testimony in support of this measure from the Board of Public Accountancy.

Your Committee finds that the accounting profession's standards of review change frequently. With recent changes, the duties of the Board of Public Accountancy's Peer Review Oversight Committee are expected to substantially increase. Your Committee further finds that it is necessary for the Board to

have flexibility and discretion in selecting members who have the ability and aptitude to serve on the Peer Review Oversight Committee.

Your Committee has amended this measure by changing the effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1103, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1103, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 1404 Consumer Protection & Commerce on S.B. No. 1104

The purpose of this measure is to increase the monetary amount an injured homeowner may recover from the Contractors Recovery Fund and the maximum amount of liability that may be recovered from the fund per licensed contractor.

Your Committee received testimony in support of this measure from the Contractors License Board. Your Committee received testimony in opposition to this measure from the Subcontractors Association of Hawaii.

Your Committee finds that the Contractors Recovery Fund provides financial assistance to homeowners injured by the act, representation, transaction, or conduct of a licensed contractor. This measure will increase the amount of relief an injured homeowner can recover.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1104, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1104, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 1405 Consumer Protection & Commerce on S.B. No. 191

The purpose of this measure is to:

- (1) Specify a process for condominium associations to incorporate power of sale language into their governing documents; and
- (2) Clarify that liens may be foreclosed upon if the power of sale language is contained within an association's governing documents or within some other agreement with the owner of the unit subject to foreclosure.

Your Committee received testimony in support of this measure from Associa; Community Associations Institute; Palehua Townhouse Association; Hawaiian Properties, Ltd.; and four individuals. Your Committee received testimony in opposition to this measure from the Law Offices of Mark K. McKellar, LLC; Hawaii Council for Associations of Apartment Owners; and eight individuals. Your Committee received comments on this measure from two individuals.

Your Committee finds that Act 282, Session Laws of Hawaii 2019 (Act 282), was passed to confirm the legislative intent that condominium associations have the authority to use a nonjudicial foreclosure process to collect delinquencies regardless of the presence or absence of power of sale language in an association's governing documents. Your Committee further finds that the recent court decisions have nonetheless insisted that power of sale language must be contained within the governing documents of a condominium association before a nonjudicial foreclosure process can be used.

Your Committee notes that Act 282 reflected the Legislature's longstanding position that condominium law enables an association to exercise a nonjudicial foreclosure remedy. As courts have not shown a willingness to honor longstanding legislative intent, your Committee finds that legislative action is necessary to clear up and confirm the intent of the Legislature regarding the right of condominium associations to conduct nonjudicial foreclosures.

Your Committee finds that H.B. 641, H.D. 1 (Regular Session of 2021), a substantially similar measure, was previously passed by your Committee. Your Committee finds that H.B. 641, H.D.1 is preferable because it includes a clear statement expressly reiterating and declaring that the intent of the Legislature is that condominium associations have the existing authority to use a nonjudicial foreclosure process to enforce association liens.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. 641, H.D. 1, a measure that:
 - (A) Specifies a process for condominium associations to incorporate power of sale language into their governing documents;
 - (B) Clarifies that liens may be foreclosed upon if the power of sale language is contained within an association's governing documents or within some other agreement with the owner of the unit subject to foreclosure; and
 - (C) Takes effect on January 1, 2050; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 191, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 191, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1406 Consumer Protection & Commerce on S.B. No. 148

The purpose of this measure is to require landlords, lessors, or plaintiffs in a summary possession action to submit a general excise tax license in good standing as a condition to the issuance of a writ of possession.

Your Committee received testimony in support of this measure from Catholic Charities Hawai'i, HOPE Services Hawai'i, and two individuals. Your Committee received comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, and two individuals.

Your Committee finds that rental properties serve a valuable role in providing housing. Your Committee further finds, however, that landlords may

unscrupulously take advantage of their available remedies while failing to comply with applicable tax laws. This measure provides some assurance that a landlord who exercises the remedy of summary possession is in good standing with general excise tax law requirements.

Your Committee has amended this measure by:

- (1) Specifying that the summary possession action by a landlord, lessor, or plaintiff be based on nonpayment of monetary rent; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 148, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 148, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1407 Consumer Protection & Commerce on S.B. No. 1101

The purpose of this measure is to:

- (1) Establish the Safe Home Program to provide matching and nonmatching grants for the installation of wind resistive devices to single-family, owner-occupied, residential property owners, in certain circumstances;
- (2) Allocate a portion of the monies earned through interest from the Hurricane Reserve Trust Fund's assets to provide grants under the Safe Home Program; and
- (3) Create one temporary position within the Insurance Division of the Department of Commerce and Consumer Affairs to implement and administer the Safe Home Program.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Hawaii Green Infrastructure Authority; Hawaii State Energy Office; Hawaii Emergency Management Agency; Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu; Hawaii Insurers Council; Climate Protectors Hawaii; and two individuals. Your Committee received comments on this measure from the State Procurement Office and American International Group, Inc.

Your Committee finds that Hawaii is susceptible to property loss resulting from hurricanes, tropical storms, and strong winds. The best long-term solution to reducing potential damage is to strengthen residential homes through the installation of wind resistive devices. However, your Committee further finds that the costs associated with inspection, repair, and reinforcement of residences that would make homes more hurricane resistant may discourage homeowners from making the investment. Your Committee also finds that it is in the interests of public health, safety, and welfare to establish a program to provide grants to certain property owners for the installation of wind resistive devices, approved by the Insurance Commissioner, that will lessen the severity of property loss from strong winds.

Your Committee has amended this measure by:

- (1) Specifying that the administration of the Safe Home Program, other than grant awards, is subject to the Hawaii Public Procurement Code; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1101, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1101, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1408 Consumer Protection & Commerce on S.B. No. 601

The purpose of this measure is to protect consumers from unscrupulous roofing contractors by:

- (1) Prohibiting roofing contractors from advertising or promising to pay or rebate a property or casualty insurance deductible to induce an insured homeowner to purchase goods or services;
- (2) Establishing an insured's right to rescind a contract with a roofing contractor to provide goods or services to be paid from the proceeds of an insurance policy claim and requiring the roofing contractor to return funds to the insured after the rescission, in certain circumstances;
- (3) Requiring roofing contractors to provide certain forms to an insured, prior to entering into a contract;
- (4) Prohibiting roofing contractors from representing or negotiating, or offering or advertising such, on behalf of an insured in any insurance claim; and
- (5) Specifying that violations are deemed unfair methods of competition and unfair or deceptive acts or practices and subject to the laws that govern such acts.

Your Committee received testimony in support of this measure from the National Insurance Crime Bureau. Your Committee received testimony in opposition to this measure from the Contractors License Board and Roofing Contractors Association of Hawaii. Your Committee received comments on this measure from the State Farm Mutual Automobile Insurance Company.

Your Committee finds that, after significant weather events, contractors may take advantage of homeowners by convincing homeowners to replace their entire roof even in scenarios where a homeowner's roof has sustained minimal or no damage. Your Committee further finds that unscrupulous individuals in these situations may represent themselves to homeowners as insurance claims experts who can obtain insurance proceeds to fix a house, even when these individuals are not licensed independent adjusters. This measure seeks to prohibit or remedy these types of actions.

Your Committee notes that the rescission period of five business days, as proposed in this measure, conflicts with existing law governing door-to-door sales, which provides a rescission period of three business days.

Your Committee has amended this measure by:

- (1) Changing the time window in which an insured may rescind a contract with a roofing contractor from five business days to an unspecified number of business days;
- (2) Requiring that evidence of denial or partial denial of the claim by the insurer must be provided by the insured with the notice of rescission to the roofing

contractor;

- (3) Specifying that, if the notice of rescission is mailed, then it is effective upon dispatch when mailed by registered or certified mail;
- (4) Amending the definition of "roofing contractor" to specify that a roofing contractor is a person whose scope of practice is within the C-42 specialty contractor classification specified under the laws regulating contractors;
- (5) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 601, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 601, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1409 Consumer Protection & Commerce on S.B. No. 1139

The purpose of this measure is to:

- (1) Authorize the Department of Health to adopt administrative rules to establish patient registration fees for medical cannabis qualifying patients beginning in fiscal year 2022;
- (2) Require the Office of Medical Cannabis Control and Regulation to convene a task force to explore the development of a dual system program of the legalization of cannabis and the impacts of legalization of cannabis on qualifying patients; and
- (3) Appropriate monies from the Medical Cannabis Registry and Regulation Special Fund for Office of Medical Cannabis Control and Regulation positions and operations.

Your Committee received testimony in support of this measure from the Department of Health, Akamai Cannabis Clinic, Hawai'i Cannabis Industry Association, and Big Island Grown Dispensaries. Your Committee received testimony in opposition to this measure from Patients Without Time and one individual.

Your Committee finds that the financial constraints caused by the COVID-19 pandemic resulted in the elimination of six critical full-time positions within the Office of Medical Cannabis Control and Regulation. The Office no longer has administrative staff, which are fundamental to the effective and efficient operations of the Medical Cannabis Patient Registry Program and Medical Cannabis Dispensary Program. Administrative and program staff are needed to meet current statutory requirements and the need for administrative and programmatic support will only increase as the landscape for medical cannabis grows and evolves. This measure allows the Department of Health to establish patient registration fees through administrative rules, which would give the Office the financial flexibility it needs to support its ongoing operating costs.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1139, S.D. 2, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1410 Consumer Protection & Commerce on S.B. No. 970

The purpose of this measure is to authorize the establishment of a physician-patient relationship via a telehealth interaction, if the physician is licensed to practice medicine in the State.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Office of Hawaiian Affairs, Hawaii Medical Board, Healthcare Association of Hawaii, Planned Parenthood Votes Northwest and Hawaii, Hawai'i Pacific Health, Hawai'i Public Health Institute, AARP Hawai'i, The Queen's Health Systems, Hawaii Substance Abuse Coalition, Kaiser Permanente Hawai'i, and two individuals.

Your Committee finds that the COVID-19 pandemic drastically changed how health care providers care for their patients. As a result of the pandemic, the State has seen an increase in the use of telehealth services, which provides a safe and easy way for patients to continue seeing their health care providers. Despite the convenience of telehealth, existing law remains ambiguous regarding whether a patient can use telehealth to establish a physician-patient relationship. Your Committee believes that having the flexibility to establish a physician-patient relationship through a telehealth interaction will increase access to care for residents in the State.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 970, S.D. 2, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1411 Consumer Protection & Commerce on S.B. No. 566

The purpose of this measure is to require the Legislative Reference Bureau to conduct a study to determine the appropriate amount of an increase in the homestead exemption.

Your Committee received testimony in opposition to this measure from the Hawaii Credit Union League. Your Committee received comments on this measure from the Legislative Reference Bureau and Hawaii Financial Services Association.

Your Committee finds that attachment and execution are legal remedies for satisfying money judgments. Specifically, attachment is typically the pre-trial provisional remedy of seizing property in anticipation of a favorable ruling for the party claiming to be owed money, whereas execution is the seizure and transfer or sale of money to satisfy a money judgment.

Your Committee further finds that statutory homestead exemptions protect a certain amount of value in a debtor's home from attachment and execution, including in bankruptcy proceedings. Under existing law, the homestead exemption amounts are \$30,000, if the debtor is either the head of a family or 65 years of age or older, or \$20,000 for all other persons. However, these amounts have not been adjusted since 1978. Your Committee notes that \$1 in 1978 had an equivalent buying power of more than \$4 in 2020.

Your Committee additionally finds that the economic impact of the COVID-19 pandemic has been substantial on the State. The percentage of persons in

the State who are not current on their mortgage loans more than doubled from 2019 to 2020. Furthermore, nearly half of the households in Hawaii have reported a decline in income due to the COVID-19 pandemic.

This measure will provide policymakers with the information necessary to make an informed decision on whether the homestead exemption should be increased and, if so, the appropriate amount of the increase.

Your Committee has amended this measure by:

- (1) Clarifying that the Legislative Reference Bureau may solicit input from any individual or entity the Legislative Reference Bureau believes necessary to complete the study; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 566, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 566, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1412 Consumer Protection & Commerce on S.B. No. 659

The purpose of this measure is to amend the Low-Income Housing Tax Credit by:

- (1) Allowing the tax credit to be allocated among the partners or members of the partnership or limited liability company earning the credit in any manner agreed to by the partners or members;
- (2) Extending the increases made to the tax credit until December 31, 2027; and
- (3) Applying the amendments to taxable years beginning after December 31, 2020.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation; Chamber of Commerce Hawaii; Bank of Hawaii; Dowling Company, Inc.; Sugar Creek Capital; National Association of Industry and Office Properties – Hawaii Chapter; Hunt Companies, Inc.; and Maui Chamber of Commerce. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, and Tax Foundation of Hawaii.

Your Committee finds that broadening how partners or members of a partnership or limited liability company decide to allocate any Low-Income Housing Tax Credit earned in a taxable year will expand the availability of the tax credit at little to no cost to the State. Your Committee further finds that expanding access to this tax credit will support the development of affordable housing by increasing the available equity and feasibility of the construction of affordable rental housing development projects in the State.

Your Committee notes that your Committee received written testimony on this measure expressing concern that the amendments proposed in this measure to the Low-Income Housing Tax Credit would imperil the State's receipt of federal funds under the American Rescue Plan of 2021, Public Law 117-2. Under section 9901 of the American Rescue Plan of 2021, federal funds are prohibited from being used to either directly or indirectly offset a reduction in the net tax revenue of the State resulting from a change in law, regulation, or administrative interpretation during the covered period that reduces any tax. Should your Committee on Finance consider this measure, your Committee respectfully requests that it give consideration to this concern.

Your Committee has amended this measure by:

- (1) Changing, from December 31, 2027, to an unspecified date, the repeal date for Act 129, Session Laws of Hawaii 2016, which placed restrictions on taxpayers claiming the Low-Income Housing Tax Credit after December 31, 2016; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee requests that, as this amended measure progresses through the legislative process, consideration be given to December 31, 2027, as the repeal date for Act 129, Session Laws of Hawaii 2016.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 659, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 659, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1413 Consumer Protection & Commerce on S.B. No. 348

The purpose of this measure is to:

- (1) Update existing law to require bottled water to meet standards prescribed by the United States Food and Drug Administration regarding product quality standards for bottled water; and
- (2) Repealing the limitation on bottled water production that prohibited the transport, storage, processing, or bottling through lines or equipment through which other food products have passed.

Your Committee received testimony in support of this measure from the Sierra Club's National Marine Team, Hawaii Food Industry Association, Ball Corporation, Ko Olina Resort, and one individual. Your Committee received comments on this measure from the Department of Health and Grassroot Institute of Hawaii.

Your Committee finds that plastic bottles are rarely recycled, with Americans sending 38,000,000,000 water bottles to landfills each year. Your Committee further finds that aluminum cans are recycled at approximately twice the rate as plastic bottles. Unlike plastic bottles, aluminum cans are one hundred percent recyclable, which prevents the necessity of including vast amounts of virgin aluminum in future cycles of production.

However, your Committee finds that state law prevents the efficient use of canning equipment used for carbonated soft drinks, juice, or beer for the canning of noncarbonated water. This limitation places a financial burden on beverage companies to duplicate equipment simply for noncarbonated water, which prevents them from providing an aluminum can alternative to single-use plastic water bottles.

Your Committee notes that existing health and safety precautions, such as the use of antimicrobial agents like ozone throughout the filling process, will eliminate any potential for microbiological contamination when water is filled in aluminum cans on the same lines as other beverages. This measure will

eliminate the unnecessary limitation under existing law that financially prohibits the production of canned water in the State, which will support local businesses and provide a local solution to a challenging environmental problem, while also maintaining consumer safety.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 348, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 348, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1414 Consumer Protection & Commerce on S.B. No. 756

The purpose of this measure is to incentivize the use of electric vehicles by:

- (1) Authorizing the counties to enforce the mandatory provision of parking spaces for the exclusive use by electric vehicles and of electric vehicle charging stations for those spaces;
- (2) Increasing the required number of parking stalls reserved for the exclusive use by electric vehicles at places of public accommodation with at least one hundred parking spaces to five parking spaces per one hundred parking spaces by January 1, 2025;
- (3) Requiring that every electric charging station placed in service on or after January 1, 2022, be at least a Level 2 charging station that is network capable;
- (4) Specifying that law enforcement officers and commissioned volunteers may enter private property to enforce the requirement for a minimum number of parking spaces reserved for exclusive use by electric vehicles, and law enforcement offices may enter private property to enforce the prohibition on non-electric vehicles parking in these stalls;
- (5) Reallocating a portion of the Environmental Response, Energy, and Food Security Tax to a newly established subaccount in the Public Utilities Commission Special Fund for the Electric Vehicle Charging System Rebate Program; and
- (6) Appropriating funds for the Electric Vehicle Charging System Rebate Program.

Your Committee received testimony in support of this measure from the Department of Transportation; Hawaii State Energy Office; Public Utilities Commission; one member of the Maui County Council; Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu; 350Hawaii.org; Ulupono Initiative; Environmental Caucus of the Democratic Party of Hawai'i; Climate Protectors Hawai'i; Blue Planet Foundation; Our Revolution Hawaii; Tesla; Faith Action for Community Equity Environmental Justice Task Force; Environmental Caucus of the Democratic Party of Hawai'i; and eleven individuals. Your Committee received testimony in opposition to this measure from the Building Owners and Managers Association of Hawaii, Hawaii Credit Union League, Building Industry Association of Hawaii, Brookfield Properties, National Association of Industry and Office Properties – Hawaii Chapter, Retail Merchants of Hawaii, and eleven individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Design and Construction of the City and County of Honolulu, Hawai'i Energy, Chamber of Commerce Hawaii, Tax Foundation of Hawaii, and Hawaiian Electric Company.

Your Committee finds that the State has committed to several goals in an attempt to prevent or mitigate the effects of climate change, including the adoption of the renewable portfolio standards and zero emissions clean economy target. Your Committee further finds that ground transportation accounts for forty-seven percent of the State's 8,690,000 metric tons of transportation emissions. This measure continues the State's commitment to lowering the State's carbon emissions and reliance on fossil fuels by promoting electric vehicles.

Your Committee further finds that as more consumers consider purchasing electric vehicles, the lack of any easily accessible infrastructure will deter greater consumer adoption of electric vehicles. This measure also ensures that the necessary infrastructure for electric vehicles will be easily accessible and economically viable.

Your Committee notes that the mandate for electric vehicle charging stations requires the property owner to invest monies for retrofitting any infrastructure necessary for the installation of the electric vehicle charging stations. Your Committee further notes that nothing in this measure prevents or prohibits a landowner or business to charge reasonable fees to regain the amounts invested. Your Committee, however, requests that should this measure continue to progress through the legislative process, that further consideration be given to whether the increased mandatory minimum number of parking stalls reserved for exclusive use by electric vehicles proposed by this measure should only apply to new construction or apply to new construction and existing parking structures and lots. Your Committee additionally notes that this measure may be enhanced with guidance on what constitutes reasonable fees.

Your Committee has amended this measure by changing the appropriation to an unspecified amount.

Should your Committee on Finance choose to deliberate on this measure, your Committee respectfully requests your Committee on Finance to consider \$300,000 as an appropriate amount for the funding of the Electric Vehicle Charging System Rebate Program.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 756, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 756, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Matsumoto). Noes, 1 (Kong). Excused, none.

SCRep. 1415 Consumer Protection & Commerce on S.B. No. 702

The purpose of this measure is to require the Committee on Weights to submit a report to the Legislature detailing any changes to the funding formula within thirty days of the posting of the Committee's final report indicating the approval of its recommended change to the funding formula.

Your Committee received comments on this measure from the Department of Education.

Your Committee finds that the Committee on Weights is responsible for developing the weighed student formula and any revisions to the formula to provide for the equitable distribution of funds to all Hawaii public schools. This measure will apprise the Legislature of revisions to the weighted student formula and help inform any related legislative actions.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee

is in accord with the intent and purpose of S.B. No. 702, S.D. 2, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1416 Consumer Protection & Commerce on S.B. No. 813

The purpose of this measure is to require each charter school authorizer to provide the authorizer's respective charter school with a list of independent auditors, rather than selecting three independent auditors, from which their respective charter school is to select an independent auditor for its annual financial audit.

Your Committee received testimony in support of this measure from the State Public Charter School Commission and one individual.

Your Committee finds that, under existing state law, each charter school must complete an independent financial audit on an annual basis. However, the State Public Charter School Commission may only approve three independent auditors from which charter schools may choose. Since the State Public Charter School Commission oversees thirty-seven public charter schools, it has been difficult for the three independent auditors to meet the strict deadlines for the annual audits, especially for neighbor island public charter schools. This measure will increase audit services and reduce the delay in the completion of audits for charter schools across the State.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 813, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1417 Consumer Protection & Commerce on S.B. No. 1004

The purpose of this measure is to require the Department of Education to include the teaching of financial literacy in the personal/transition plan requirement for each student, beginning with the 2021-2022 school year.

Your Committee received testimony in support of this measure from Visa Inc., Hawaii Credit Union League, and nine individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that financial literacy is the ability to understand and effectively use various financial skills, including personal financial management, budgeting, and investing, and is a lifelong learning process that empowers individuals to plan for their future. While the education system has historically assumed that financial literacy would be taught to students by their families, this has not always been the case. This measure will ensure that Hawaii's students are financially literate, which will help them achieve financial prosperity and stability.

Your Committee notes that the Department of Education requested in its testimony before your Committee that the implementation date be delayed until the 2022-2023 school year to allow the high schools time to prepare for this requirement.

Your Committee has amended this measure by delaying the required provision of financial literacy education until the 2022-2023 school year.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1004, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 1004, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1418 Consumer Protection & Commerce on S.B. No. 755

The purpose of this measure is to require lessors of rental motor vehicles to include an option for the lessee in the motor vehicle rental agreement to contribute a sum to the Department of Land and Natural Resources for the preservation and protection of the environment.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received testimony in opposition to this measure from Avis Budget Group and Enterprise Holdings.

Your Committee finds that the preservation and protection of the State's natural resources are critical for the continued livelihood and enjoyment of residents and visitors. Your Committee further finds that people are willing to donate to the preservation and protection of the environment if given the chance and if it is communicated that their donation will go to such preservation and protection activities. This measure establishes another mechanism that allows the State to gather additional resources to preserve and protect the environment.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 755, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1419 Consumer Protection & Commerce on S.B. No. 936

The purpose of this measure is to require:

- (1) The Department of Health to disseminate information regarding seizure first aid; and
- (2) Employers to post materials provided by the Department of Health to educate employees with respect to seizure first aid.

Your Committee received testimony in support of this measure from the Epilepsy Foundation of Hawaii, Paul's Purple Warriors, and thirteen individuals. Your Committee received testimony in opposition to this measure from the Department of Health.

Your Committee finds that one in ten persons will experience a seizure at some point in their lifetime. A seizure can happen to any person, in any place, at any time, and it is vital that members of the public are prepared to appropriately and effectively respond when this very unpredictable event occurs. This measure will ensure that employees are educated with critical seizure safety information to respond appropriately during the occurrence of these unpredictable events.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 936, S.D. 2, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 1420 Consumer Protection & Commerce on S.B. No. 827

The purpose of this measure is to:

- (1) Expand coverage of breast cancer screening and imaging to include an annual mammogram for a woman of any age with an above average risk for breast cancer, risk factor screening for women ages thirty or older, and additional supplemental imaging for any woman regardless of age, as deemed medically necessary by an applicable American College of Radiology guideline; and
- (2) Require the Auditor to conduct an impact assessment report to assess the social and financial impacts of the proposed mandated coverage and report to the Legislature prior to the Regular Session of 2022.

Your Committee received testimony in support of this measure from the Hawaii Medical Association, Satellite Healthcare, Hawaii Women Lawyers, Hawai'i Pacific Health, Hawaii Primary Care Association, Hawaii Radiological Society, and five individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Health, Hawaii Association of Health Plans, and Hawaii Medical Service Association.

Your Committee finds that, on average, women in Hawaii between the ages of forty and forty-nine have a higher incidence of breast cancer compared to the national average. Your Committee further finds that expanding the coverage and types of coverage of breast cancer screening is in the best interest of public health and will ensure that women in Hawaii with a high risk of breast cancer have access to early breast cancer screening.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 827, S.D. 2, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 1421 Consumer Protection & Commerce on S.B. No. 920

The purpose of this measure is to:

- (1) Establish a procurement policy for medium- and heavy-duty motor vehicles and modify the existing procurement policy for light-duty motor vehicles in state motor vehicle fleets;
- (2) Specify that one of the State's climate change mitigation goals is to reduce emissions that cause climate change and build energy efficiencies across all sectors;
- (3) Establish clean transportation goals for state motor vehicle fleets;
- (4) Authorize the Department of Accounting and General Services to approve state fleet acquisitions, including zero emission vehicle requirements for light-duty passenger cars and light-duty multipurpose passenger vehicles and trucks; and
- (5) Require state and county agencies to purchase building materials for new road construction projects that reduce the carbon footprint of the projects, whenever feasible and cost-effective.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii State Energy Office, Kauai Climate Action Coalition, Ulupono Initiative, Environmental Caucus of the Democratic Party of Hawai'i, 350Hawaii.org, Hawaiian Electric Company, Climate Protectors Hawai'i, Blue Planet Foundation, Hawaii Automobile Dealers Association, Our Revolution Hawaii, Faith Action for Community Equity Environmental Justice Task Force, Sierra Club of Hawai'i, Environmental Caucus of the Democratic Party of Hawai'i, and ten individuals. Your Committee received comments on this measure from the State Procurement Office and Alliance for Automotive Innovation.

Your Committee finds that the State has committed to several goals in an attempt to prevent or mitigate the effects of climate change, including the adoption of the renewable portfolio standards and zero emissions clean economy target. Your Committee further finds that ground transportation accounts for forty-seven percent of the State's 8,690,000 metric tons of transportation emissions. This measure continues Hawaii's commitment to lowering the State's carbon emissions and reliance on fossil fuels by leading by example.

Your Committee has amended this measure by:

- (1) Clarifying that the strategy created jointly by the Department of Transportation and Hawaii State Energy Office applies to light-duty motor vehicles in the State's fleets, rather than all light-duty motor vehicles in the State; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 920, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 920, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 1422 Consumer Protection & Commerce on S.B. No. 251

The purpose of this measure is to:

- (1) Regulate the operations of transportation network companies in the State and establish a permitting process for these companies within the Department of Transportation; and
- (2) Make permanent the motor vehicle insurance requirements for transportation network companies and transportation network company drivers enacted by Act 236, Session Laws of Hawaii 2016.

Your Committee received testimony in support of this measure from the Department of Transportation; Uber Technologies, Inc.; American Property Casualty Insurance Association; Lyft; and Na Hoaloa Maui Interfaith Volunteer Caregivers. Your Committee received testimony in opposition to this measure from Charley's Taxi; Robert's Hawaii, Inc.; Hawaii Passenger and Property Carrier Association; and Hawaii Transportation Association. Your Committee received comments on this measure from the Hawaii Insurers Council.

Your Committee finds that uniform statewide regulation of transportation network companies is needed to ensure the safety, reliability, and cost-effectiveness

of rides provided by transportation network company drivers, as well as to preserve and enhance access to important transportation options for residents and visitors of the State.

Your Committee further finds that Act 236, Session Laws of Hawaii 2016 (Act 236), closed the insurance gaps associated with transportation network companies by establishing mandatory motor vehicle insurance requirements for transportation network companies and transportation network company drivers. This measure makes the motor vehicle insurance requirements established by Act 236 permanent.

Your Committee has amended this measure by:

- (1) Clarifying that transportation network companies and transportation network company drivers are not motor carriers under the Motor Carrier Law; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 251, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 251, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Kong). Noes, none. Excused, none.

SCRep. 1423 Consumer Protection & Commerce on S.B. No. 646

The purpose of this measure is to:

- (1) Increase the Rental Motor Vehicle Surcharge Tax from \$5 per day to \$8 per day for any county having a residential population of more than 125,000 but less than 195,000; and
- (2) Allocate the increase in the Rental Motor Vehicle Surcharge Tax to the applicable county's subaccount within the State Highway Fund.

Your Committee received testimony in support of this measure from the Department of Transportation and Maui Chamber of Commerce. Your Committee received testimony in opposition to this measure from the Castle Hospitality Group, Avis Budget Group, Enterprise Holdings, and Hawai'i Lodging & Tourism Association. Your Committee received comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, and Grassroots Institute of Hawaii.

Your Committee finds that traffic congestion is a serious problem that negatively affects the quality of life for residents and visitors in Hawaii. Your Committee further finds that certain counties and their roads are disproportionately impacted by the number of visitors in the State. This measure will provide greater resources to those counties that experience a high number of motor vehicle rentals and will enable those counties to fund projects to increase highway capacity and relieve traffic congestion.

Your Committee has amended this measure by:

- (1) Changing the amount of the Rental Motor Vehicle Surcharge Tax applicable to a county having a residential population of more than 125,000 but less than 195,000 from \$8 to an unspecified amount; and
- (2) Exempting the imposition of the Rental Motor Vehicle Surcharge Tax for persons whose vehicles have been stolen and are unrecovered or will not be repaired due to total loss.

Should your Committee on Finance deliberate on this measure, your Committee respectfully requests that it consider the \$8 a day amount for the Rental Motor Vehicle Surcharge Tax for a county having a residential population of more than 125,000 but less than 195,000.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 646, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 646, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1424 Consumer Protection & Commerce on S.B. No. 57

The purpose of this measure is to:

- (1) Codify the requirement for the Director of Transportation to supervise and certify vehicle inspectors and establish standards, examinations, and investigations of vehicle inspectors;
- (2) Temporarily repeal the requirement for reconstructed vehicles to obtain a special inspection and certification; and
- (3) Require the Department of Transportation to report to the Legislature on the effects of the repeal.

Your Committee received testimony in support of this measure from the Department of Transportation, 808 Street Rods, 4Runnation Hawaii, Oahu Motorsports Association, Aloha Mustang & Shelby Club of Hawaii, and numerous individuals. Your Committee received comments on this measure from the Honolulu Police Department.

Your Committee finds that existing law requires motor vehicles in the State to pass an inspection check to ensure the safety of the driver and passengers in any vehicle on roads of the State. Your Committee further finds that vehicle inspectors are currently regulated under the Department of Transportation's administrative rules. This measure codifies the regulation of vehicle inspectors.

Your Committee further finds that the reconstructed vehicle inspection program no longer serves its intended purposes. The purpose of the reconstructed vehicle inspection program is to ensure that modifications to motor vehicles do not result in a significant degradation of highway safety. However, persons who inspect the vehicles are not engineers and often lack the expertise necessary to make an accurate judgment of the quality of work that was done on the modifications or their ramifications. To compensate for this weakness, the inspectors rely on the Hawaii Administrative Rule that requires the motor vehicle owner to obtain approval of the design plans by a registered professional engineer. However, since vehicle owners typically do not have a design plan and go to the reconstructed vehicle inspection station after the work has been completed, it is virtually impossible to find a registered professional engineer who will accept responsibility for the plans and the work done.

Your Committee has amended this measure by requiring the Department of Transportation to submit a report on the effects of the repeal proposed by this measure no later than twenty days prior to the convening of the Regular Session of 2025, rather than no later than July 1, 2024.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee

is in accord with the intent and purpose of S.B. No. 57, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 57, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1425 Consumer Protection & Commerce on S.B. No. 675

The purpose of this measure is to amend the definition of "employee-beneficiary" to include the surviving unmarried adult child of a deceased retired member if the child is incapable of self-support because of a mental or physical incapacity that existed prior to the unmarried child's reaching the age of nineteen.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance and Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees.

Your Committee finds that under existing law, children who are incapable of self-support due to mental or physical incapacity do not continue to receive health benefits under Employer-Union Health Benefits Trust Fund health plans after the death of both parents. These dependents are highly vulnerable to financial shock once the loss of benefits occur since they have very limited income and opportunities to otherwise obtain similar benefits. This measure will ensure that these vulnerable persons continue to receive the benefits they need.

Your Committee has amended this measure by changing the effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 675, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 675, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1426 Consumer Protection & Commerce on S.B. No. 819

The purpose of this measure is to preserve access to health care for Medicaid recipients by extending the Hospital Sustainability Program.

Your Committee received testimony in support of this measure from the Department of Human Services, Healthcare Association of Hawaii, Hawai'i Pacific Health, Hawaii Primary Care Association, The Queen's Health Systems, and Kaiser Permanente Hawai'i.

Your Committee finds that the Hospital Sustainability Program, which was established in 2012, has served a critical role in strengthening the health care system in Hawaii. In the nine years since its inception, the Hospital Sustainability Program has helped acute care facilities treat the most vulnerable patients in the State, especially Medicaid recipients who require hospital services. Your Committee believes that continuing the Hospital Sustainability Program will ensure that the State's uninsured or underinsured patients continue to receive care in a timely, effective manner.

Your Committee has amended this measure by changing the appropriation to an unspecified amount.

Should your Committee on Finance deliberate on this measure, your Committee respectfully requests that it consider \$325,000,000 as an appropriation amount out of the Hospital Sustainability Program Special Fund.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 819, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 819, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1427 Consumer Protection & Commerce on S.B. No. 562

The purpose of this measure is to establish that charging shipping and delivery charges that exceed the actual cost to ship or deliver a commodity to a consumer in Hawaii constitutes an unfair and deceptive practice.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs. Your Committee received testimony in opposition to this measure from the Hawaii Food Industry Association and Retail Merchants of Hawaii. Your Committee received comments on this measure from the Chamber of Commerce Hawaii and Matson Navigation Company, Inc.

Your Committee finds that Hawaii consumers are often unfairly treated by online merchants' imposition of shipping costs. Many of these retailers impose an arbitrary shipping cost to Hawaii residents that does not correlate with their actual cost of shipping. This measure will ensure that Hawaii consumers are not unfairly assessed arbitrary shipping charges by requiring merchants to apply the actual shipping cost, which will facilitate transparency in consumer transactions.

Your Committee has amended this measure by changing the effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 562, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 562, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1428 Consumer Protection & Commerce on S.B. No. 1202

The purpose of this measure is to make various technical amendments to the fuel tax law, liquor tax law, and cigarette tax and tobacco tax law under the jurisdiction of the Department of Taxation.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that it is necessary to amend and repeal various provisions of the fuel tax law, liquor tax law, and cigarette tax and tobacco tax law, for the purposes of correcting errors and references, clarifying language, or deleting obsolete or unnecessary provisions. This measure adds clarity to the law and allows for more effective administration of these laws by the Department of Taxation.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1202, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 1202, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1429 Government Reform on S.B. No. 222

The purpose of this measure is to require the Comptroller's annual report to the Governor and Legislature to include a list of all accounts closed by the Comptroller during the immediately preceding fiscal year and a list of accounts that remain open but that are serving a lapsed program or initiative.

Your Committee received comments on this measure from the Department of Accounting and General Services.

Your Committee notes that, according to the Department of Accounting and General Services, the current financial management system is based on common business-oriented language, more commonly known as COBOL, which is difficult to navigate. Processes need to be run overnight before results and reports can be run. In order to provide the annual report, the Department would need to provide the Office of Enterprise Technology Services with criteria at a point in time to run the report. The report may not encompass certain appropriations that could be requested to not revert and not lapse from departments and agencies. Your Committee believes that it would be more advantageous to wait until the Department's new financial management system replacement is implemented.

Accordingly, your Committee has amended this measure by:

- (1) Requiring the Comptroller to submit the Comptroller's annual report to the Governor and the Legislature beginning July 1, 2022; and
- (2) Changing its effective date to July 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 222, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 222, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 4 (Cullen, Eli, Mizuno, Woodson).

SCRep. 1430 Government Reform on S.B. No. 332

The purpose of this measure is to amend the powers and duties of the Comptroller to reduce the preaudit requirements of all proposed payments to expenditures by:

- (1) Increasing the minimum dollar amount of payments to be preaudited from \$10,000 to \$100,000; and
- (2) Allowing, rather than requiring, the Comptroller to preaudit proposed payments of expenditures below \$100,000.

Your Committee received comments on this measure from the Department of Accounting and General Services.

Your Committee finds that the State's accounting software system is forty-five years old. This outdated common business-oriented language, more commonly known as COBOL, system requires human intervention because it was not designed with automated checks and balances embedded in modern computer systems. Your Committee notes that, per the Department of Accounting and General Services' testimony before your Committee, the new financial management system project will replace some of these outdated manual processes and help ensure that the integrity of the transaction request will be preserved and strengthened. Your Committee further finds that updating the preaudit process for proposed statements will allow for even more efficiency and help prevent delays in timely processing.

Your Committee additionally finds that the new financial management system should be designed to include the ability to pre-audit contracts to avoid clerical errors, such as duplicate payments to vendor and requests for the status of uncashed items. In addition, if procured correctly, the new financial management system will be able to enumerate data for compliance with Hawaii Revised Statutes procurement standards and run real time queries and reports. Workflow processes can be designed and implemented in the new financial management system for ease of processing, review, and submittal. Your Committee believes that temporarily increasing the dollar amount of payments required to be preaudited should address certain concerns of the Department of Accounting and General Services and will allow sufficient time for the Department to fully implement the new financial management system.

Accordingly, your Committee has amended this measure by:

- (1) Inserting a sunset date of July 1, 2022;
- (2) Changing its effective date to July 1, 2112, to encourage further discussion; 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 Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 332, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 332, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 4 (Cullen, Eli, Mizuno, Woodson).

SCRep. 1431 Government Reform on S.B. No. 200

The purpose of this measure is to clarify that the requirement to file a late contribution report prior to an election applies only to candidates who appear on a ballot and receive contributions in excess of \$500.

Your Committee received testimony in support of this measure from the Campaign Spending Commission and one individual. Your Committee received testimony in opposition to this measure from Common Cause Hawaii.

Your Committee finds that exempting candidates who are not on the ballot of an election from the requirement to file the late contributions report is consistent

with the requirements under section 11-334, Hawaii Revised Statutes, for the filing of preliminary, final, and supplemental reports.

Your Committee notes that upon further review of this measure, requiring those candidates who do not appear on a ballot, yet receive contributions in excess of \$500, to file a late contribution report prior to an election can also be a useful tool to address the concerns raised in the testimony before your Committee on S.B. No. 403, which exempted candidates who are either unsuccessful or elected to office in a primary election from the requirement to file certain preliminary general reports for the following general election.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (2) 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 Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 200, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 200, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 2 (Cullen, Mizuno).

SCRep. 1432 Government Reform on S.B. No. 404

The purpose of this measure is to amend the requirements for a statement of information filed by each person who makes an expenditure for electioneering communications by:

- (1) Increasing the monetary threshold that triggers disclosure of electioneering communications;
- (2) Requiring that disclosures of electioneering communications occur on the date the electioneering communications are publicly distributed;
- (3) Classifying election advertisements sent by mail at any postal rate as electioneering communications;
- (4) Deleting items that constitute expenditures by an expending organization from the types of communications excluded from the definition of electioneering communications; and
- (5) Repealing the requirement that a person be treated as having made an expenditure if the person has executed a contract to make the expenditure.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, League of Women Voters of Hawaii, and Common Cause Hawaii. Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that amending the disclosure date of electioneering communications to occur on the date the electioneering communications are publicly distributed is timelier, as contracts for these advertisements may occur weeks or months before the electioneering communications are publicly distributed. Your Committee further finds that increasing the monetary threshold amount that would require disclosure of an electioneering communication will reduce the burden on smaller candidate committees that generally engage in less advertising.

Your Committee has amended this measure by:

- (1) Changing the monetary threshold that triggers disclosure of electioneering communications to an unspecified amount;
- (2) Restoring existing statutory language that exempts expenditures by an expending organization from being classified as an electioneering communication;
- (3) Clarifying that actual expenditures by an expending organization are exempted from being classified as an electioneering communication; and
- (4) Changing its effective date to July 1, 2112, to encourage further discussion.

Your Committee has amended this measure to statutorily restore paragraph (2) under the definition of "electioneering communication" as it was applied in H.B. No. 144, H.D. 1 (Regular Session of 2021), the companion to this measure that was previously passed by your Committee. However, since the passage of H.B. No. 144, H.D. 1 out of your Committee, your Committee agrees with concerns that restoring this language exactly as it currently exists in statute will leave a large loophole in the law. Your Committee has further amended this measure to clarify that actual expenditures by an expending organization are exempted from being classified as an electioneering communication, which your Committee believes will close this loophole.

Your Committee respectfully requests your Committee on Judiciary & Hawaiian Affairs, should it deliberate on this measure, to consider the monetary threshold of \$5,000 that would trigger the disclosure of electioneering communications and the origin of this arbitrary amount.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 404, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 404, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 4 (Cullen, Eli, Mizuno, Woodson).

SCRep. 1433 Economic Development on S.B. No. 1054

The purpose of this measure is to enable the use of monies in the Brownfields Cleanup Revolving Loan Fund for subgrants to eligible entities for assessment and cleanup of brownfields sites and certain site monitoring activities.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Health; and Office of Planning.

Your Committee finds that brownfields are often underutilized due to contamination or perceived contamination that hinders redevelopment. Expanding the use of the Brownfields Cleanup Revolving Loan Fund to enable subgrants for cleanups, environmental site assessments, and related activities will benefit local communities by having more land available for development of affordable housing, public parks, and open areas.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1054, S.D. 2, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 1434 Economic Development on S.B. No. 496

The purpose of this measure is to require the Department of Agriculture, in cooperation with the Office of the Governor, to build upon its strategic planning efforts under Act 151, Session Laws of Hawaii 2019, to identify the top ten fruit and vegetable imports to the State that may be commercially grown by farmers in Hawaii and recommend ways to increase their production.

Your Committee received testimony in support of this measure from Climate Protectors Hawaii, Ulupono Initiative, Hawai'i Farm Bureau, Hawaii Food Industry Association, and Kauai Climate Action Coalition. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that approximately eighty-five to ninety percent of Hawaii's food supply is imported, which makes the State vulnerable to natural disasters and global events that disrupt shipping and other modes of transporting food. This measure would improve the State's economy, food security, and ability to reach its local food production goals.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 496, S.D. 2, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 1435 Economic Development/Higher Education & Technology on S.B. No. 1421

The purpose of this measure is to:

- (1) Create a Dual Use Technology Task Force within the Department of Business, Economic Development, and Tourism to explore how dual use technology can be used to promote economic recovery and diversify the State's economy; and
- (2) Require the task force to submit reports to the Legislature prior to the Regular Sessions of 2023 and 2025.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Technology Development Corporation; Chamber of Commerce Hawaii; Oceanit; and one individual.

Your Committees find that dual use technology, or technology that can be used for military and non-military aims, is vital to economic growth and a diversified economy in the State. This measure allows the State to explore how dual use technology can be used to significantly contribute to Hawaii's economic recovery, thereby promoting a decreased reliance on tourism.

Your Committees have amended this measure by:

- (1) Specifying that private sector representatives on the task force shall be jointly selected and invited by the Speaker of the House of Representatives and President of the Senate;
- (2) Authorizing the Speaker of the House of Representatives and President of the Senate, rather than task force members, to recommend additional members to participate on the task force;
- (3) Deleting language that would have exempted members of the task force from the state law relating to the selection and terms of members of permanent boards and commissions; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Economic Development and Higher Education & Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1421, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1421, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Economic Development: Ayes, 7. Noes, none. Excused, 1 (Belatti).

Higher Education & Technology: Ayes, 10. Noes, none. Excused, 2 (Belatti, Hashimoto).

SCRep. 1436 Judiciary & Hawaiian Affairs on S.B. No. 401

The purpose of this measure is to amend the allowable administrative fines for campaign finance violations. Specifically, this measure allows the Campaign Spending Commission to:

- (1) Fine any noncandidate committee that makes only independent expenditures and has either received at least one contribution of or spent more than \$10,000 in an election period an amount not to exceed:
 - (A) \$5,000 for each occurrence; or
 - (B) Three times the amount of an unlawful contribution or expenditure; and
- (2) Order the fine, or any portion thereof, to be paid from the personal funds of the officers of the noncandidate committee.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, and seven individuals.

Your Committee finds that this measure significantly increases the amount of fines assessed against a noncandidate committee that makes only independent expenditures, otherwise known as Super PACs, and authorizes the Campaign Spending Commission to order that the fines, or a portion of the fines, be paid from the personal funds of an officer of the Super PAC. The increase in the amount of the fine is necessary in enforcement cases against Super PACs and will serve as a more effective deterrent against Super PACs from violating campaign finance laws.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 401, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Takumi).

SCRep. 1437 Judiciary & Hawaiian Affairs on S.B. No. 402

The purpose of this measure is to:

- (1) Require expenditures by candidate committees for reimbursements to other individuals, in addition to candidates, to be itemized in schedules filed with the reports to the Campaign Spending Commission; and

- (2) Repeal the requirement that candidate reimbursements be itemized in schedules filed with the reports by noncandidate committees to the Campaign Spending Commission.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, and seven individuals.

Your Committee finds that under existing law, only candidate reimbursements need to be itemized in reports made to the Campaign Spending Commission. Your Committee also finds that in many instances, individuals other than the candidate are also being reimbursed for campaign costs advanced by the individuals. This measure requires that reimbursements made to other individuals be itemized as well, which will provide more transparency in how candidate committees are spending their funds.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 402, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Takumi).

SCRep. 1438 Judiciary & Hawaiian Affairs on S.B. No. 406

The purpose of this measure is to:

- (1) Clarify that the Campaign Spending Commission may employ or contract with persons for the performance of the day-to-day functions of the Campaign Spending Commission; and
- (2) Require a complaint initiated by the staff of the Campaign Spending Commission to be in writing and signed by the Executive Director.

Your Committee received testimony in support of this measure from the Campaign Spending Commission.

Your Committee finds that the Campaign Spending Commission employs or contracts with individuals to carry out various functions of the Commission. Your Committee further finds that this measure is intended to clarify the authority of the Campaign Spending Commission staff to perform all day-to-day functions of the Commission, including the conducting of investigations and filing of complaints.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 406, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Takumi).

SCRep. 1439 Judiciary & Hawaiian Affairs on S.B. No. 697

The purpose of this measure is to designate January of each year as "Kalaupapa Month" to serve as an annual reminder of the importance of Kalaupapa and the significant sacrifices and contributions of its residents throughout the State's history.

Your Committee received testimony in support of this measure from the Department of Health, Ka 'Ohana O Kalaupapa, IDEA Center for the Voices of Humanity, The Friends of Iolani Palace, Diocese of Honolulu, and twelve individuals.

Your Committee finds that an estimated eight thousand individuals suspected of leprosy were forcibly removed to a colony established on eight hundred acres of land on the Kalaupapa peninsula of Molokai after the passage of the 1865 "Act to Prevent the Spread of Leprosy". Your Committee acknowledges the significance of this measure in recognizing the sacrifices of the residents of Kalaupapa and the enduring legacy of Kalaupapa as part of Hawaii's history.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 697, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Takumi).

SCRep. 1440 Judiciary & Hawaiian Affairs on S.B. No. 791

The purpose of this measure is to amend provisions regarding the designation, impoundment, and disposal of unauthorized, abandoned, grounded, and derelict vessels on state property or in the waters of the State to facilitate faster responses of these types of proceedings.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that unauthorized, abandoned, grounded, and derelict vessels pose significant risks to natural resources and public health and safety. Your Committee further finds that under existing law, by the time the Department of Land and Natural Resources can begin to remove these types of vessels, the condition of the vessel has often deteriorated, further complicating removal efforts and increasing potential dangers. This measure amends provisions regarding the removal and impoundment of such vessels on state property or in state waters to facilitate faster responses by the Department.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 791, S.D. 2, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Takumi).

SCRep. 1441 Judiciary & Hawaiian Affairs on S.B. No. 806

The purpose of this measure is to require the Attorney General, on behalf of the Department of Education, to:

- (1) Institute proceedings to acquire certain land owned by the Mililani Town Association by voluntary action or condemnation; and
- (2) Indemnify the Mililani Town Association for all claims and liabilities against the Mililani Town Association that may arise concerning the property until the process is complete.

Your Committee received testimony in support of this measure from the Department of Education. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that Mililani Town Association owns parcels of land near Mililani High School. The Department of Education intends to use the land to provide an access ramp that is compliant with the Americans with Disabilities Act for the benefit of students, staff, family members, and the general public. Your Committee finds that this measure provides a legal process for the acquisition of the parcels of land by the State.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 806, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Takumi).

SCRep. 1442 Judiciary & Hawaiian Affairs on S.B. No. 1107

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

Your Committee received testimony in support of this measure from the Department of Defense, Hawaii Emergency Management Agency, Hawaii State Energy Office, and AARP Hawaii.

Your Committee finds that the Hawaii Emergency Management Agency has nearly exhausted its funding to support the management and implementation of hazardous mitigation projects. This measure will provide funding and slightly expand program authority to allow the Agency to continue its work in cutting, trimming, or removing dangerous trees or branches that pose a hazard to public safety; stabilize or remove unstable rock and soil hazards; and clean streams and waterways to mitigate or prevent flooding or other natural hazards.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1107, S.D. 2, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Takumi).

SCRep. 1443 Judiciary & Hawaiian Affairs on S.B. No. 192

The purpose of this measure is to authorize the Department of Human Services to administer and provide public assistance during a state of emergency to certain persons who are unable to provide sufficient support for themselves or those dependent on them.

Your Committee received testimony in support of this measure from the Hawai'i Primary Care Association. Your Committee received comments on this measure from the Department of Human Services.

Your Committees find that the coronavirus disease 2019 (COVID-19) pandemic has severely threatened the health and welfare of the State's residents, especially those in underprivileged and rural communities. Currently, there is no financial assistance program for able-bodied individuals between the ages of eighteen and sixty-five who are able to work, do not have minor dependents, and do not have a work history to access unemployment insurance benefits. This measure will provide a new state-funded financial assistance program for these individuals during a declared state of emergency, such as the COVID-19 pandemic.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 192, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Takumi).

SCRep. 1444 Judiciary & Hawaiian Affairs on S.B. No. 1121

The purpose of this measure is to exempt all gross proceeds arising from the planning, design, financing, or construction of any housing development by the Department of Hawaiian Home Lands from general excise taxes.

Your Committee received testimony in support of this measure from the Department of Taxation, Department of Hawaiian Home Lands, Office of Hawaiian Affairs, Hawaiian Affairs Caucus of the Democratic Party of Hawai'i, Partners in Care, Catholic Charities Hawai'i, and Community Alliance Partners. Your Committee received comments on this measure from the Department of Budget and Finance and Tax Foundation of Hawaii.

Your Committee finds that lands utilized by the Department of Hawaiian Home Lands to provide housing for native Hawaiians are offered at affordable rates when compared to similar housing available in Hawaii. The Department of Hawaiian Home Lands currently has four large-scale development projects underway for consideration by the Hawaii Housing Finance and Development Corporation for general excise tax exemptions. The estimated general excise tax savings for these four projects is \$9,561,500. Your Committee further finds that the cost savings for these projects could be used to develop more Hawaiian home land lots.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1121, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11; Ayes with Reservations (LoPresti, McKelvey, Tokioka). Noes, none. Excused, 1 (Takumi).

SCRep. 1445 Judiciary & Hawaiian Affairs on S.B. No. 1204

The purpose of this measure is to:

- (1) Replace the four District Taxation Boards of Review with a single statewide Taxation Board of Review consisting of up to ten residents to be appointed by the Governor;
- (2) Authorize the Governor to appoint temporary board members during any regular member's temporary absence from the State, recusal, or illness;
- (3) Require a quorum of at least three board members for any meeting or proceeding;
- (4) Authorize taxpayers and others appearing before the Taxation Board of Review to participate using cost-efficient means such as teleconferencing;
- (5) Require all decisions of the Taxation Board of Review to be reduced to writing and state the Board's findings of fact and conclusions of law separately; and
- (6) Repeal the requirement that the assessor prepare the notice of appeal upon the request of the taxpayer.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that currently, the Department of Taxation's existing Board of Review appeals structure has a separate board for each of the four

taxation districts. Your Committee also finds that existing laws that provide for a Board of Review for each taxation district have resulted in overwhelming challenges in the taxation appeals process. This measure replaces the four district boards with a single, statewide Taxation Board of Review that will improve efficiency in tax administration and enable tax appeals to be resolved more expeditiously.

Your Committee has amended this measure by:

- (1) Clarifying that the Governor may appoint an acting member if a regular member is temporarily unable to act because of disqualification in addition to recusal or illness;
- (2) Changing the effective date to July 1, 3021, to encourage further discussion; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1204, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 1204, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Takumi).

SCRep. 1446 Judiciary & Hawaiian Affairs on S.B. No. 151

The purpose of this measure is to replace the term "accident" with "collision" under certain provisions of the Statewide Traffic Code.

Your Committee received testimony in support of this measure from the Department of Transportation, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, Maui Metropolitan Planning Organization Policy Board, and Hawaii Bicycling League.

Your Committee finds that the term "accident" may be interpreted to mean an incident that occurs without any fault, negligence, or state of mind involved. Your Committee further finds that this interpretation may prevent a person from being charged with leaving the scene of an accident and other offenses that require the State to prove that an offender had a certain state of mind at the time of the offense, such as negligent homicide or negligent injury. This measure replaces the term "accident" with "collision" to avoid any potential ambiguity.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 151, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 151, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 1447 Judiciary & Hawaiian Affairs on S.B. No. 238

The purpose of this measure is to require the names of the candidates for the Office of Hawaiian Affairs Board of Trustees to be placed on the ballot grouped by residency and non-residency requirements and to randomize the order of candidate names within those groupings.

Your Committee received testimony in support of this measure from three individuals. Your Committee received comments on this measure from the Office of Hawaiian Affairs, Office of Elections, and Common Cause Hawaii.

Your Committee finds that candidates for the Board of Trustees of the Office of Hawaiian Affairs who voluntarily participate in the partial public funding program are provided substantially less public funding than candidates for other statewide races. In order to provide parity, candidates for the Board of Trustees of the Office of Hawaiian Affairs should receive funding similar to other candidates for statewide offices.

Your Committee further finds that S.B. No. 981, S.D. 2 (Regular Session of 2021), a substantially similar measure heard at the same public hearing as this measure, would accomplish this goal.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of S.B. No. 981, S.D. 2, a substantially similar measure that:
 - (A) Restricts the maximum amount of public funds available in each election to a candidate for Board of Trustees of the Office of Hawaiian Affairs to fifteen percent of the expenditure limit, rather than \$1,500;
 - (B) Sets qualifying contributions for the Office of Hawaiian Affairs at \$5,000, rather than \$1,500; and
 - (C) Requires that the names of candidates for the Board of Trustees of the Office of Hawaiian Affairs be grouped on the ballot by residency requirement or lack thereof, and within those groupings, be placed in random order;
- (2) Changing the effective date to July 1, 3021, to encourage further discussion; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 238, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 238, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 1448 Judiciary & Hawaiian Affairs on S.B. No. 384

The purpose of this measure is to specify that filing fees for tax appeals are nonrefundable and that no deposits are required for tax appeals.

Your Committee received testimony in support of this measure from the Judiciary. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that this measure is a housekeeping measure to align the intent of Act 152, Session Laws of Hawaii 1997 (Act 152), which gave authority to the Supreme Court to establish a rule to allow for a non-refundable filing fee for tax appeal cases. Specifically, this measure:

- (1) Completes the intention of Act 152;
- (2) Follows current court filing fee practices; and
- (3) Allows the Judiciary to transfer the current amount that needs to be refunded to filing parties due to the existing, inconsistent statutory language.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 384, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 384, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 1449 Judiciary & Hawaiian Affairs on S.B. No. 715

The purpose of this measure is to authorize the issuance of special purpose revenue bonds and appropriate the bond revenues derived therefrom for a master planned development proposed by Pueo Development, LLC.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands; Pueo Development, LLC; Waiohuli Hawaiian Homesteaders Association; and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the development of low- and moderate-income housing, alternative energy sources, infrastructure, and economic opportunities continues to be in the public interest. Pueo Development, LLC, is a Hawaii company that offers sustainable solutions for developing low- and moderate-income housing, alternative energy, and infrastructure, while facilitating economic opportunities through project development. Pueo Development, LLC, proposes to design, build, and operate a master planned development in support of a public-private partnership with Waiohuli Hawaiian Homesteaders Association, Inc., on approximately one hundred fifty acres of Department of Hawaiian Home Lands land in Waiohuli, Maui.

Your Committee has amended this measure by changing the effective date to July 1, 3021, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 715, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 715, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 1450 Judiciary & Hawaiian Affairs on S.B. No. 828

The purpose of this measure is to:

- (1) Grant exclusive original jurisdiction in matters of divorce to the family court of the circuit in which an applicant is domiciled at the time the application is filed; and
- (2) Repeal the requirement that a person be domiciled or physically present in the State for a continuous period of at least six months before completing a divorce.

Your Committee received testimony in support of this measure from the Hawai'i State Coalition Against Domestic Violence, Hawaii Women's Coalition, AAUW of Hawaii, Domestic Violence Action Center, and one individual. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that this measure clarifies the jurisdiction of the Family Court and enables individuals to complete a divorce in the State even if they are unable to be physically present in the State for a continuous period of time before filing.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 828, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 828, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 1451 Judiciary & Hawaiian Affairs on S.B. No. 939

The purpose of this measure is to establish June 19 of each year as Juneteenth Day to commemorate the end of slavery in the United States and in honor and recognition of the significant roles and contributions of African Americans in the history of the United States.

Your Committee received testimony in support of this measure from the Hawaii Civil Rights Commission, one member of the Honolulu City Council, LGBT Caucus of the Democratic Party of Hawaii, Common Cause Hawaii, The Pōpolo Project, Community Alliance on Prisons, African American Lawyers Association of Hawaii, Young Progressives Demanding Action, Planned Parenthood Votes Northwest and Hawaii, Hawaii for Juneteenth, Our Space, and numerous individuals.

Your Committee finds that Juneteenth is the symbolic date celebrating the emancipation of individuals, primarily African Americans, who had been enslaved in the United States. Hawaii is one of only three states that do not recognize Juneteenth as a state holiday or a special day of observance. Your Committee recognizes the importance of Juneteenth for African Americans and the country as a whole and believes that the date should be commemorated annually by the State.

Your Committee has amended this measure by referring to June 19 as simply Juneteenth rather than Juneteenth Day.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 939, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 939, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Takumi).

SCRep. 1452 Judiciary & Hawaiian Affairs on S.B. No. 400

The purpose of this measure is to clarify that increased fines may be imposed on a candidate committee or noncandidate committee that fails to timely file a preliminary primary or preliminary general report.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, and eight individuals.

Your Committee finds that this measure will improve transparency and accountability in the election system by incentivizing, through the potential for increased fines, the timely filing of reports by candidate committees and noncandidate committees to the Campaign Spending Commission.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 400, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Takumi).

SCRep. 1453 Judiciary & Hawaiian Affairs on S.B. No. 678

The purpose of this measure is to:

- (1) Require that the representative of labor on the Hawaii Labor Relations Board be a person selected by a majority of the exclusive representatives of the collective bargaining units; and
- (2) Establish procedures for the appointment and removal of the representative of labor from the Hawaii Labor Relations Board.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; United Public Workers, AFSCME Local 646, AFL-CIO; and Hawaii State Teachers Association. Your Committee received testimony in opposition to this measure from the Office of Collective Bargaining.

Your Committee finds that providing a single name to the Governor that has been vetted by the exclusive representatives, with a clear timeframe for the name to be transmitted to the Senate for consideration as well as a default process for Senate confirmation if the deadline is missed, ensures greater fairness, predictability, and transparency in the appointment process. This measure will also provide a process for removing an ineffective labor representative, which is essential to the efficient functioning of the Hawaii Labor Relations Board.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 678, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Takumi).

SCRep. 1454 Judiciary & Hawaiian Affairs on S.B. No. 607

The purpose of this measure is to address the shortage of affordable rental housing on Maui and maintain the viability of the Keawe Street affordable housing project by:

- (1) Removing the 2022 deadline for completion of the Leialii affordable housing project in Lahaina, Maui; and
- (2) Requiring the Hawaii Housing Finance and Development Corporation to address historic preservation laws when funding is appropriated for each portion of the Leialii affordable housing project.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Hawaii Housing Finance and Development Corporation.

Your Committee finds that there is a severe shortage of affordable rental housing in the County of Maui, especially on the western portion of the island. Your Committee further finds that the Legislature appropriated \$37,000,000 to expedite and complete the Leialii affordable housing project by 2022. However, on September 21, 2020, the State Historic Preservation Division of the Department of Land and Natural Resources notified the Hawaii Housing Finance and Development Corporation that it would need a new archaeological inventory survey for the entire villages of the Leialii master planned community, which includes the Keawe Street apartments affordable housing project. As a result of the mandated survey, the Leialii affordable housing project cannot meet its 2022 completion deadline and will lose its funding. This measure seeks to address these issues to provide much needed affordable housing on Maui.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 607, S.D. 3, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Takumi).

SCRep. 1455 Judiciary & Hawaiian Affairs on S.B. No. 513

The purpose of this measure is to:

- (1) Establish an expeditious adjudication system for processing fireworks infractions, similar to the system for processing traffic infractions;
- (2) Implement the recommendations of the 2010 Illegal Fireworks Task Force by:
 - (A) Raising the fireworks display permit fee from \$110 to \$150;
 - (B) Clarifying that each aerial device, display firework, or article pyrotechnic having a total weight of twenty-five pounds or less that is illegally imported, transferred, or sold constitutes a separate violation;
 - (C) Increasing the penalty for removing or extracting the pyrotechnic contents from any fireworks or articles pyrotechnic for certain uses; and

- (D) Increasing the fine for certain fireworks violations from no more than \$2,000 per violation to no more than \$5,000 per violation;
- (3) Authorize the Sheriff Division of the Department of Public Safety to enforce the Fireworks Control Law;
- (4) Require the Attorney General to establish an Explosion Detection Technology Working Group; and
- (5) Require the Department of Public Safety to develop and implement a web-based reporting tool for illegal fireworks that will provide the counties with additional data to enforce the applicable fireworks laws.

Your Committee received testimony in support of this measure from the Hawaii State Fire Council, Maui Fire Department, Hawaiian Humane Society, and one individual. Your Committee received comments on this measure from the Judiciary and Department of Public Safety.

Your Committee finds that fireworks violations continue to impact communities and endanger the public. As such, your Committee finds that greater enforcement of Hawaii's fireworks laws is necessary to protect property from avoidable fire damage; protect persons from fire and explosion-related injuries; minimize respiratory distress caused by the air pollution; and avoid retraumatizing persons who may be adversely impacted by loud explosions.

Your Committee has amended this measure by:

- (1) Amending the penalties for fireworks infractions to:
- (A) Clarify that the fines apply to violations of provisions that are not specifically provided for under the Fireworks Control Law as felonies or misdemeanors;
 - (B) Impose a fine of \$5,000 for each violation of provisions that are not specifically provided for under the Fireworks Control Law; and
 - (C) Impose a fine of \$500, or \$2,000 for multiple violations, for homeowners, renters, or persons otherwise responsible for real property who allow an individual to possess, set off, ignite, or otherwise cause to explode any aerial device while on the real property; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 513, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 513, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 1 (D. Kobayashi). Excused, 1 (Takumi).

SCRep. 1456 Judiciary & Hawaiian Affairs on S.B. No. 516

The purpose of this measure is to:

- (1) Require the State Board for Career and Technical Education to oversee and review annually the statewide data collection processes, reporting requirements, and business rules related to the student attainment of industry-recognized credentials;
- (2) Require the State Board for Career and Technical Education to provide an annual report to the Governor and Legislature on students' attainment of industry-recognized credentials; and
- (3) Include career and technical education and credential data in the statewide longitudinal data system to help assess the longitudinal education and workforce outcomes of students who attempted an educational course, training program, career program, postsecondary program, or other workforce training program.

Your Committee received testimony in support of this measure from the Department of Education, Office of Hawaiian Affairs, Office of the State Director for Career and Technical Education, Chamber of Commerce Hawaii, HawaiiKidsCAN, and one individual.

Your Committee finds that in the current job market, nearly sixty-five percent of available positions require postsecondary credentials. Industry-recognized credentials are important because they teach the specific knowledge and skills that are required for an occupation or industry. This measure will help break down Hawaii labor market data by credential to help inform career and technical training pathways that can contribute to future workforce generations.

Your Committee has amended this measure by:

- (1) Requiring all state data collection processes, reporting requirements, and business rules to support the collection of student-level data that is disaggregated specifically for Hawaii's population, including but not limited to disaggregated data for Native Hawaiians and Pacific Islanders, of industry-recognized credential attainment; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 516, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 516, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Takumi).

SCRep. 1457 Judiciary & Hawaiian Affairs on S.B. No. 538

The purpose of this measure is to clarify the jurisdiction of the Hawaii Civil Rights Commission. Specifically, this measure:

- (1) Clarifies the intent for a state law counterpart for disability discrimination in federally-funded programs and services; and
- (2) Excludes jurisdiction over programs or activities that are covered by the Individuals with Disabilities Education Act.

Your Committee received testimony in support of this measure from the Department of Education, Hawai'i Civil Rights Commission, Disability and Communication Access Board, National Federation of the Blind of Hawaii, Hawaii Disability Rights Center, and ten individuals. Your Committee received testimony in opposition to this measure from HoopoNo. Your Committee received comments on this measure from one individual.

Your Committee finds that Hawaii has a long history of enacting state civil rights protections that complement and provide stronger protections than federal law. Your Committee further finds that Hawaii's civil rights laws, including those analogous to federal law, are critically important. This measure will clarify the intent of state law and provide the Hawaii Civil Rights Commission jurisdiction over certain disability discrimination claims, even in cases where a federal remedy is also available.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 538, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 1458 Judiciary & Hawaiian Affairs on S.B. No. 912

The purpose of this measure is to deter corruption of government officials and employees by authorizing the forfeiture of one half of certain employees' retirement system benefits, pursuant to court order, for members convicted of an employee-related felony.

Your Committee received testimony in support of this measure from the Hawai'i State Ethics Commission, Common Cause Hawaii, and seven individuals. Your Committee received comments on this measure from the Employees' Retirement System.

Your Committee finds that public officers and employees are responsible for upholding the public's trust in government and democracy. Your Committee further finds that the public's trust becomes strained when public officers and employees participate in misconduct during their employment but are still able to keep the benefits from their employment.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 912, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 1459 Judiciary & Hawaiian Affairs on S.B. No. 1021

The purpose of this measure is to:

- (1) Include the use of traditional Native Hawaiian burial practices in the treatment and disposal of human remains, including the use of alkaline hydrolysis or water cremation and natural organic reduction; and
- (2) Prohibit the sale, transfer, conveyance, or other disposal, or offer thereof, of any plot, crypt, or niche unless the property on which the plot, crypt, or niche is located allows the interment of up to ten sets of human remains that are cremated or prepared in a manner consistent with traditional Native Hawaiian burials.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Aloha Mortuary; Fisher & Associates Consulting, LLC; Willed Body Program, University of Hawaii; Ken Ordenstein Funerals; and eleven individuals. Your Committee received testimony in opposition to this measure from the Hawaii Funeral & Cemetery Association, Inc.; Hawaiian Memorial Life Plan, Ltd.; Mililani Group, Inc.; Nuuanu Memorial Park & Mortuary; Dodo Mortuary, Inc.; Leeward Funeral Home; and Hosoi Garden Mortuary, Inc. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that traditional Native Hawaiian burial practices play a critical role in Native Hawaiian culture and are a cost effective and environmentally friendly alternative to modern treatments of human remains.

Your Committee has amended this measure by:

- (1) Deleting the definitions of "cremation equipment" and "traditional Hawaiian burial" and references to "water cremation," "cremains," and "ashes" since these definitions and references are unnecessary;
- (2) Deleting language that would have prohibited the sale, transfer, conveyance, or other disposal, or offer thereof, of any plot, crypt, or niche unless the property on which the plot, crypt, or niche is located allows the interment of up to ten sets of human remains that are cremated or prepared in a manner consistent with traditional Hawaiian burials;
- (3) Requiring the Department of Health to adopt rules to implement this measure; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1021, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as S.B. No. 1021, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Takumi).

SCRep. 1460 Judiciary & Hawaiian Affairs on S.B. No. 1401

The purpose of this measure is to:

- (1) Require the Department of Transportation to consider and pursue certain goals when planning, designing, and implementing ground transportation infrastructure;
- (2) Amend the amount of eligible federal funds, in addition to other state highway fund monies available, to establish multi-use paths, bicycle paths, and bicycle lanes, and install signage and safety devices along bikeways;
- (3) Require the Director of Transportation to submit an annual report to the Legislature detailing compliance with the complete streets policy and principles;
- (4) Require the Department of Transportation to:
 - (A) Establish and publish performance standards with measurable benchmarks reflecting the capacity for all users to travel safely and conveniently along state roadways;
 - (B) Ensure that the complete street policies of the State apply to new construction, reconstruction, repaving, operations, and maintenance activities; and
 - (C) Ensure that a complete streets policy checklist of the duties of the Department of Transportation is published; and
- (5) Require the counties to consider complete street policies when adopting or amending land use ordinances.

Your Committee received testimony in support of this measure from the Department of Transportation; Department of Health; Office of Hawaiian Affairs; City and County of Honolulu Office of Climate Change, Sustainability and Resiliency; Hawaii Strategic Highway Safety Plan; Maui Metropolitan Planning

Organization Policy Board; American Heart Association; AlohaCare; Kauai Climate Action Coalition; Ulupono Initiative; Obesity Prevention Task Force of the Hawai'i Public Health Institute; and AARP Hawai'i.

Your Committee finds that the complete streets law, established in 2009, requires the Department of Transportation and county transportation departments to adopt policies that seek to reasonably accommodate convenient access and mobility for all users of public highways, including pedestrians, bicyclists, transit users, and motorists of all ages and abilities. This measure will clarify the complete streets policy to ensure its proper implementation and effectiveness.

Your Committee has amended this measure by:

- (1) Deleting the requirement for the Director of Transportation to submit to the Legislature a report detailing progress towards compliance with the complete streets policy and principles during the preceding fiscal year; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1401, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 1401, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Ward). Noes, none. Excused, 1 (Takumi).

SCRep. 1461 Consumer Protection & Commerce on S.B. No. 1286

The purpose of this measure is to appropriate funds as a grant to the Office of the Prosecuting Attorney for Hawaii County for the Career Criminal Prosecution Unit.

Your Committee received testimony in support of this measure from the Hawai'i Police Department, Office of the Prosecuting Attorney of the County of Kaua'i, Office of the Mayor of the County of Hawai'i, Office of the Prosecuting Attorney of the County of Hawai'i, Department of the Prosecuting Attorney of the City and County of Honolulu, and two individuals.

Your Committee finds that crime has become one of the most prevalent challenges facing the County of Hawaii. Furthermore, a disproportionate amount of serious crimes in the County of Hawaii are committed against the public by a relatively small number of multiple- and repeat-felony offenders, commonly known as "career criminals". Your Committee also finds that under the Career Criminal Prosecution Program, whose purpose is the investigation and prosecution of persons identified as habitual or career criminals, funds are awarded to counties in which career criminal prosecution units are established. This measure appropriates funds as a grant for the County of Hawaii's Career Criminal Prosecution Unit to help support the prosecution of career criminals.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1286, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1462 Consumer Protection & Commerce on S.B. No. 493

The purpose of this measure is to:

- (1) Establish and appropriate funds for the Hawaii Agriculture and Forest Carbon Positive Incentive Program to incentivize carbon sequestration activities through carbon incentives contracts that provide for compensation for eligible practices by Program participants; and
- (2) Reallocate a portion of the Environmental Response, Energy, and Food Security Tax that is currently deposited into the Agricultural Development and Food Security Special Fund to a newly established Hawaii Agriculture and Forest Carbon Positive Incentive Program Special Fund, to be used for the purposes of the Hawaii Agriculture and Forest Carbon Positive Incentive Program.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Green Infrastructure Authority; Climate Protectors Hawai'i; Environmental Caucus of the Democratic Party of Hawai'i; Kauai Climate Action Coalition; Kauai Women's Caucus; The Nature Conservancy; Hawaii Cattlemen's Council, Inc.; and six individuals. Your Committee received testimony in opposition to this measure from the Department of Agriculture. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Office of Planning, and Tax Foundation of Hawaii.

Your Committee finds that approximately ninety percent of the State's food is imported, which makes Hawaii particularly vulnerable to natural disasters, disease, and other global events. Your Committee finds that the State needs to find a way to reduce its contribution to climate change and increase local food production. This measure incentivizes carbon positive actions through a payment of services program that would allow small farmers, ranchers, and landowners to be compensated for taking actions to help the State reach its climate positive goal.

Your Committee notes the concerns raised by the Department of Budget and Finance in the Department's testimony that establishing an incentive program as described in this measure will result in the lowering of tax revenue and impact the State's share of direct federal aid from the American Rescue Plan Act of 2021.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 493, S.D. 2, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Har). Noes, 1 (Onishi). Excused, none.

SCRep. 1463 Consumer Protection & Commerce on S.B. No. 932

The purpose of this measure is to:

- (1) Establish and appropriate funds out of the Clean Energy and Energy Efficiency Revolving Loan Fund to provide financial assistance for investments in a broad range of clean energy technologies;
- (2) Authorize monies in the Hawaii Green Infrastructure Special Fund to be used to finance the option to purchase solar energy systems and other clean energy equipment, including the purchase or lease of electric vehicles and installation of electric vehicle charging systems; and
- (3) Repeal the Building Energy Efficiency Revolving Loan Fund.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; Hawaii Green Infrastructure Authority; Office of

Climate Change, Sustainability, and Resiliency of the City and County of Honolulu; Office of Economic Development of the County of Kauai; Climate Protectors Hawai'i; Environmental Caucus of the Democratic Party of Hawai'i; Blue Planet Foundation; Kauai Climate Action Coalition; and one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Commerce and Consumer Affairs, and Public Utilities Commission.

Your Committee finds that significant investment in clean energy technology and infrastructure will be required to achieve the State's goals of energy self-sufficiency, energy security, and energy diversification. However, a significant barrier to clean energy adoption has been the unavailability of flexible financing and low-cost capital. Your Committee believes that public funds must be used in a sustainable manner to increase customer demand for clean energy technology and attract private investment in green technology. This measure provides the Hawaii Green Infrastructure Authority with a variety of financing options to support investment in and implementation of clean energy technology and infrastructure in the State.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 932, S.D. 2, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1464 Consumer Protection & Commerce on S.B. No. 934

The purpose of this measure is to exempt hydrogen fuels from petroleum product measurement requirements.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Alliance for Automotive Innovation, Servco Pacific Inc., Ulupono Initiative, Blue Planet Foundation, Hawai'i Gas, and Hawaii Food Industry Association. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that hydrogen has an important role to play in Hawaii's energy portfolio as a carbon-free energy storage mechanism, potential means of providing grid support, and provider of pollution-free fuel for both electricity and transportation. Your Committee further finds that the definition of fuel is broad and does not exclude hydrogen, which implies that hydrogen must be sold on the basis of measure. Currently, the State has no means to measure and certify a hydrogen dispenser. This measure will assist the State in utilizing other forms of renewable fuels by explicitly exempting hydrogen fuels from measurement standards relating to fuel.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 934, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1465 Consumer Protection & Commerce on S.B. No. 506

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist Wahiawa General Hospital with its long-term debt restructuring.

Your Committee received testimony in support of this measure from Wahiawa General Hospital and the Hawaii Nurses' Association. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that for over the past fifteen years, Wahiawa General Hospital has experienced financial difficulties due to several circumstances, including the reopening of The Queen's Medical Center West Oahu in Ewa, Oahu; reductions in Medicare, Medicaid, and private insurance reimbursements; new requirements under the federal Patient Protection and Affordable Care Act; the ongoing shortage of physicians in the State; uncertainty in the availability of federal and state funding caused by instability in federal health care policy; and an increasing need for the provision of indigent care, which includes the homeless population. Additionally, the COVID-19 pandemic has created even further financial challenges for Wahiawa General Hospital. Because of these financial difficulties, Wahiawa General Hospital has had to cut a few of its programs, services, and personnel while allowing basic infrastructure repair and maintenance needs to go unmet.

Your Committee recognizes that Wahiawa General Hospital is important to providing a continuum of health care services in Hawaii. Your Committee believes that this measure will enable Wahiawa General Hospital to restructure its debt and position itself to continue its long-standing mission of serving the health care needs of Central Oahu, the North Shore, and other communities.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 506, S.D. 2, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1466 Consumer Protection & Commerce on S.B. No. 32

The purpose of this measure is to require:

- (1) Public utilities seeking a permit for highway work to consider the disruption to traffic and transportation as a criterion in planning ongoing and future maintenance and new installation on state highways; and
- (2) The Director of Transportation to coordinate all projects on state highways to minimize, to the fullest extent possible, traffic congestion caused by the project.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received comments on this measure from the Honolulu Board of Water Supply and Hawai'i Gas.

Your Committee finds that the maintenance and installation of certain public utilities exacerbate existing traffic problems, causing significant traffic congestion throughout the State. While your Committee recognizes the importance of maintaining the State's public utility infrastructure, your Committee believes that the effects on traffic and transportation should be considered in planning ongoing and future maintenance and new installations to help mitigate traffic congestion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 32, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1467 Consumer Protection & Commerce on S.B. No. 246

The purpose of this measure is to establish the State Government Realignment Commission to periodically review the state executive branch's departments, divisions, and agencies, including functions and services, and submit its findings and recommendations to the Legislature.

Your Committee received comments on this measure from the Department of Budget and Finance, Department of Accounting and General Services, and Department of Transportation.

Your Committee finds that over time, the needs of society have changed drastically, with greater emphasis being placed on modernization, transparency, and accountability. Your Committee further finds that consolidation of government to gain efficiency, reduce duplication of efforts, and consolidate and eliminate outdated processes has many positive benefits. This measure is intended to modernize the state government while addressing current challenges to effective and efficient governing.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 246, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1468 Consumer Protection & Commerce on S.B. No. 615

The purpose of this measure is to:

- (1) Amend the definition of "motor scooter" under the Hawaii Highway Safety Act and the Statewide Traffic Code;
- (2) Require all moped and motor scooter rental companies to ensure the rider wears a safety helmet supplied either by the company or the renter, except for riders with a motorcycle license; and
- (3) Prohibit the rental of any moped or motor scooter with aftermarket modifications.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, AAA Hawai'i, and numerous individuals.

Your Committee finds that wearing a helmet while operating a moped, powered scooter, or other motorized cycle decreases fatalities and serious injuries. According to the Hawaii Injury Prevention Plan for 2012-2017, published by the Emergency Medical Services and Injury Prevention System Branch of the Department of Health, properly worn helmets prevent deaths and brain injuries, with helmets reducing the risk of death by forty-two percent and the risk of a head injury by sixty-nine percent. This measure will require certain moped and motor scooter operators to wear helmets, thereby ensuring the safety of residents and visitors of Hawaii and reducing the number of traffic related fatalities.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 615, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1469 Consumer Protection & Commerce on S.B. No. 304

The purpose of this measure is to establish procedures for the Department of Transportation to assist and enable a person to voluntarily purchase a verified carbon offset for carbon dioxide emissions resulting from the person's air travel to or from an airport in the State.

Your Committee received testimony in support of this measure from the Blue Planet Foundation. Your Committee received testimony in opposition to this measure from the Climate Protectors Hawaii, 350Hawaii.org, Environmental Caucus of the Democratic Party of Hawaii, and one individual. Your Committee received comments on this measure from the Department of Transportation and Office of Planning.

Your Committee finds that there are many contributors to climate change, of which transportation-generated greenhouse gas emissions is a significant contributor. Within the transportation sector, the air transportation component faces particularly difficult technical challenges in reducing carbon dioxide emissions associated with air travel. This measure supports the State in achieving its zero emissions clean economy target by establishing the voluntary purchase of verified carbon offsets by persons engaging in qualified air travel to or from an airport in the State.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2051, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 304, S.D. 2, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 304, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Har, Onishi). Noes, none. Excused, none.

SCRep. 1470 Consumer Protection & Commerce on S.B. No. 385

The purpose of this measure is to:

- (1) Enact the 2018 Uniform Trust Code with appropriate amendments to reflect Hawaii law and practice; and
- (2) Repeal the Uniform Trustees' Powers Act, Uniform Prudent Investor Act, and laws regarding trust administration under the Uniform Probate Code.

Your Committee received testimony in support of this measure from the Judiciary.

Your Committee finds that this measure will update Hawaii statutes relating to trusts to bring them under one comprehensive law. This will help reduce the time, complexity, and expense of trust proceedings in the State.

Your Committee has amended this measure by changing the effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 385, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 385, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1471 Judiciary & Hawaiian Affairs on S.B. No. 159

The purpose of this measure is to:

- (1) Make an application for voter registration, including an affidavit and information about the residence address confidentiality program, part of all state identification card or driver's license applications;
- (2) Automatically register each qualified applicant to vote or make changes to the qualified applicant's voter registration information, unless the qualified applicant affirmatively declines; and
- (3) Require the sharing of certain information among the counties, Department of Transportation, election personnel, and online voter registration system.

Your Committee received testimony in support of this measure from the Office of Elections; Hawai'i State Commission on the Status of Women; Office of the County Clerk of the County of Kaua'i; LGBT Caucus of the Democratic Party of Hawai'i; AAUW of Hawaii; Hawai'i Health & Harm Reduction Center; Young Progressives Demanding Action; Planned Parenthood Votes Northwest and Hawaii; Americans for Democratic Action Hawai'i; Women's Caucus of the Democratic Party of Hawai'i; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Sierra Club of Hawai'i; Pride at Work – Hawaii; Hawaii State Teachers Association; Rainbow Family 808; AARP Hawai'i; Hawai'i Public Health Institute; League of Women Voters of Hawaii; Neighborhood Place of Puna; Hawai'i Friends of Civil Rights; Transform Hawai'i Government; American Civil Liberties Union of Hawai'i; Common Cause Hawaii; AVR Hawai'i Coalition; HOPE Services Hawai'i; Community Alliance on Prisons; Hawai'i Women's Coalition; Pono Hawai'i Institute; Our Revolution Hawaii; and numerous individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that this measure will require applicants to either automatically register to vote or affirmatively opt out of registration as part of the identification card and driver's license application process. Your Committee believes that applicants should be required to opt in, rather than opt out, of registration.

Your Committee further finds that the electronic sharing of data will help ensure the accuracy of voter-registration polls and compliance with the National Voter Registration Act of 1993 and Help America Vote Act of 2002.

Your Committee has amended this measure by:

- (1) Deleting language that would have included an affidavit and information about the residence address confidentiality program as part of the identification card and driver's license applications;
- (2) Requiring applicants to choose to be registered to vote or make changes to the applicant's voter registration information, instead of requiring applicants to affirmatively opt out;
- (3) Deleting language that would have required an applicant to be automatically registered to vote upon the completion of an application for a provisional driver's license or instruction permit;
- (4) Inserting the language that requires an application for a driver's license or identification card to include the voter registration application into more appropriate statutes;
- (5) Changing the effective date to July 1, 2021, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 159, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 159, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Ward). Noes, none. Excused, 1 (Takumi).

SCRep. 1472 Judiciary & Hawaiian Affairs on S.B. No. 765

The purpose of this measure is to:

- (1) Establish sentencing guidelines for highly intoxicated drivers;
- (2) Require the installation of an ignition interlock device on all vehicles operated by a person upon license revocation for operating a vehicle under the influence of an intoxicant;
- (3) Increase the license revocation period and extend the applicable lookback periods; and
- (4) Amend the penalties for operating a vehicle under the influence of an intoxicant.

Your Committee received testimony in support of this measure from the Department of Transportation, Office of the Prosecuting Attorney of the County of Kaua'i, Hawai'i Police Department, Department of the Prosecuting Attorney of the County of Maui, Department of the Prosecuting Attorney of the City and County of Honolulu, Maui Police Department, Honolulu Police Department, Mothers Against Drunk Driving Hawaii, Hawaii Strategic Highway Safety Plan, AAA Hawai'i, Hawaii Bicycling League, and one individual. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that during the last five years, police arrested an average of 5,405 drivers for operating a vehicle under the influence of an intoxicant per year. Of those tested, an average of 1,485 had blood alcohol concentration results of .150 and higher, which is nearly twice the legal limit. The National Highway Traffic Safety Administration states that drivers with a blood alcohol concentration of .150 or greater are nearly twenty times more likely to be involved in a fatal crash. This measure would remove the most dangerous drivers from the road and increase the deterrent for potentially dangerous drivers.

Your Committee further finds that only twenty percent of all offenders at any given time install ignition interlock devices. Your Committee believes that ignition interlock devices are an important and effective tool for decreasing the incidence of Operating a Vehicle Under the Influence of an Intoxicant offenses.

in Hawaii.

Your Committee has amended this measure by:

- (1) Establishing a two-year administrative license revocation period for highly intoxicated drivers who have no prior alcohol enforcement contact or drug enforcement contact in the preceding ten years and do not install an ignition interlock device in all vehicles operated by the driver;
- (2) Changing the effective date to July 1, 3021, to encourage further discussion; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 765, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 765, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 1473 Judiciary & Hawaiian Affairs on S.B. No. 969

The purpose of this measure is to:

- (1) Beginning July 1, 2021, prohibit the manufacture or importation for sale of certain animal fur products in the State; and
- (2) Beginning December 1, 2021, prohibit the sale, offer for sale, display for sale, trade, or otherwise distribution for monetary or nonmonetary consideration of certain animal fur products in the State.

Your Committee received testimony in support of this measure from Animal Rights Hawai'i, Keiko Conservation, Animal Defenders International, Fur Free Alliance, In Defense of Animals, Animal Legal Defense Fund, Last Chance For Animals, Stella McCartney Ltd, InStyle, People for the Ethical Treatment of Animals, Humane Society Veterinary Medical Association, The Humane Society of the United States, Project Coyote, Down to Earth Organic and Natural, House Rabbit Society, and ten individuals. Your Committee received testimony in opposition to this measure from the Department of Agriculture, Natural Fibers Alliance, Retail Merchants of Hawaii, and International Fur Federation. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs; Hawaii Cattleman's Council, Inc.; and one individual.

Your Committee finds that existing laws provide relatively little oversight of the fur farming and fur trade industries. Your Committee further finds that prohibiting the manufacture for sale, importation for sale, sale, offer for sale, display for sale, trade, or other distribution of certain animal fur products in Hawaii will foster a more humane environment in the State.

Your Committee has amended this measure by:

- (1) Amending its purpose section;
- (2) Changing the departmental responsibility for administering the provisions of this measure from the Director of Agriculture to the Department of the Attorney General;
- (3) Amending the definition of "fur" to delete language specifying that fur includes mink and other non-native species; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 969, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 969, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 1 (Ward). Excused, 1 (D. Kobayashi).

SCRep. 1474 Judiciary & Hawaiian Affairs on S.B. No. 1039

The purpose of this measure is to satisfy several claims against the State, its officers, or its employees.

Your Committee received testimony in support of this measure from the Department of the Attorney General, State Public Charter School Commission, and Department of Transportation.

Your Committee finds that the Department of the Attorney General testified that it has advised its client agencies on how to avoid claims such as those included in this measure.

Your Committee has amended this measure by:

- (1) Appropriating \$8,250 in general funds for a settlement in the case *Unga v. Board of Education*, et al., Civil No. 20-0000576, First Circuit;
- (2) Appropriating \$44,903.62 in general funds for a judgment in the case *Dasalia*, et al. v. *Onaka*, et al., Civil No. 13-1-0373-02, First Circuit;
- (3) Appropriating \$6,041.40 in general funds for a claim by *Melvin Ishizu*;
- (4) Appropriating \$1,367 in general funds for a claim by *Gregory and Sarah Rocheleau*;
- (5) Appropriating \$15,654.47 in general funds for a claim by *Waste Management of Hawaii, Inc.*;
- (6) Appropriating \$50,000 from the State Highway Fund for a settlement in the case of *Link v. State of Hawaii*, Civil No. 20-0000681, First Circuit;
- (7) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that two claims in this measure, *Miller-Potter v. State of Hawaii*, et al., and *HGEA/AFSCME on Behalf of Ardith Renteria and Charter Volcano School of Arts and Sciences*, were previously approved for payment by Act 11, Session Laws of Hawaii 2020 (Act 11), from the State Public Charter School Commission fiscal year 2019-2020 budget. However, by the time Act 11 was passed, all the Charter School Commission funds intended for charter schools had already been dispersed. As a result, these claims remain unpaid.

Should the Committee on Finance deliberate on this measure further, your Committee on Judiciary & Hawaiian Affairs respectfully requests that it consider requiring the Board of Education to pay for the settlement in the case *Miller-Potter v. State of Hawaii*, et al., and the judgment in the case *HGEA/AFSCME*

on Behalf of Ardith Renteria and Charter Volcano School of Arts and Sciences since the State Public Charter School Commission is administratively attached to the Department of Education.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1039, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1039, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (LoPresti). Noes, 3 (D. Kobayashi, McKelvey, Tokioka). Excused, 1 (Takumi).

SCRep. 1475 Judiciary & Hawaiian Affairs on S.B. No. 1333

The purpose of this measure is to remove the prescription drug Epidiolex and approved generic versions of that drug that contain cannabidiol derived from cannabis and no more than 0.1 percent (w/w) residual tetrahydrocannabinols from Schedule V of the Uniform Controlled Substances Act and certain provisions of the Hawaii Penal Code.

Your Committee received testimony in support of this measure from the Department of Public Safety. Your Committee received comments on this measure from Akamai Cannabis Clinic.

Your Committee finds that the Agriculture Improvement Act of 2018 (P.L. 115-334), modified the regulatory controls over cannabis, tetrahydrocannabinols, and other cannabis-related constituents in the federal Controlled Substances Act. In April 2020, the United States Drug Enforcement Agency notified the manufacturer of Epidiolex of its removal from the federal Schedule V and officially removed its designation through an interim final rule issued in August 2020. This measure is necessary to conform the Uniform Controlled Substances Act with the federal treatment of Epidiolex and approved generic versions of that drug.

Your Committee further finds that the Agriculture Improvement Act of 2018 legalized hemp by removing hemp from the definition of "marihuana" contained in the federal Controlled Substances Act. To be consistent with federal law, additional changes are needed to exempt hemp under the Uniform Controlled Substances Act.

Your Committee has amended this measure by:

- (1) Amending its purpose section;
- (2) Exempting hemp from the Uniform Controlled Substances Act pursuant to federal law;
- (3) Amending Act 14, Session Laws of 2020, to permanently codify the definition of "hemp" and amendments to the definition of "marijuana" under the Uniform Controlled Substances Act; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1333, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1333, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 1476 Judiciary & Hawaiian Affairs on S.B. No. 1350

The purpose of this measure is to:

- (1) Permit public notice in a short form for proposed, revised, and final reapportionment plans, subject to specific requirements;
- (2) Temporarily amend the start date for the availability of nomination papers for the 2022 primary election;
- (3) Define "permanent resident" for reapportionment purposes; and
- (4) Authorize and appropriate funds for the Reapportionment Commission to retain outside legal counsel.

Your Committee received comments on this measure from the Department of the Attorney General, Office of Elections, Common Cause Hawaii, and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that in February 2021, the United States Census Bureau announced that it will likely delay delivery of the 2020 Census results to the fifty states by as much six months or more. Your Committee further finds that this delay will in turn significantly delay the reapportionment of districts for elective office and make it harder for prospective candidates to run for office in 2022. Your Committee also finds that the Hawaii 2011 Reapportionment Commission's final report and reapportionment plan recommended improvements to the reapportionment process that are in the public interest to implement. This measure will implement important recommendations from that report.

Your Committee notes the concerns raised by the Department of the Attorney General regarding the potential conflict between the definition of "permanent resident" as used in this measure and article IV, sections 4 and 6, of the Hawaii State Constitution.

Your Committee has amended this measure by:

- (1) Amending the definition of "permanent resident" for legislative reapportionment to be as defined by *Solomon v. Abercrombie*, 126 Haw. 283 (2012);
- (2) Requiring the public notice of a legislative reapportionment plan prepared and proposed by the Reapportionment Commission to be subject to notice publication requirements;
- (3) Requiring that the law providing for when nomination papers shall be made available be reenacted in the form in which it read on the day before the effective date of this measure; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1350, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1350, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 1477 Judiciary & Hawaiian Affairs on S.B. No. 1409

The purpose of this measure is to:

- (1) Prohibit newly appointed or reappointed council, board, and commission members from serving if the member has not completed, within the requisite time, the required training course related to native Hawaiian and Hawaiian traditional and customary rights, native Hawaiian and Hawaiian natural resource protection and access rights, and the public trust, including the State's trust responsibility; and
- (2) Require the Office of Hawaiian Affairs and Department of Land and Natural Resources to compile an annual report of council, board, and commission members who have failed to complete their training course requirement.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Ka Huli Ao Center for Excellence in Native Hawaiian Law, Kua'āina Ulu 'Auamo, Kūpuna for the Mo'opuna, and seven individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources and Center for Hawaiian Sovereignty Studies.

Your Committee finds that Act 169, Session Laws of Hawaii 2015 (Act 169), required the Office of Hawaiian Affairs to establish, design, and administer a training course on native Hawaiian and Hawaiian rights, the sources of these rights, and how the infringement of these rights affect the native Hawaiian and Hawaiian people. Act 169 also required new members of certain state councils, boards, and commission to complete the training course within one year of their appointment. Currently, a significant number of board and commission members subject to the mandatory training course continue to fail to comply with their training course completion responsibility. This measure ensures greater recognition and incorporation of native Hawaiian and Hawaiian knowledge, values, and rights in land use and resource management decision-making.

Your Committee has amended this measure by:

- (1) Requiring the Office of Hawaiian Affairs to record the training courses and make the recordings available to those who were unable able to attend the training course;
- (2) Changing the effective date to July 1, 3021, to encourage further discussion; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1409, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1409, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 1478 Judiciary & Hawaiian Affairs on S.B. No. 1342

The purpose of this measure is to include under the offense of promoting gambling in the first degree the act of engaging in activities in which a person receives or entertains other persons as guests with the intent of advancing gambling activity on real property.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that illegal gambling presents a serious risk to public safety and welfare and that establishments that chronically house illegal gambling activity are particularly concerning. This measure will include those who host gambling activity under the offense of promoting gambling in the first degree.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1342, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 1479 Judiciary & Hawaiian Affairs on S.B. No. 1100

The purpose of this measure is to adopt the National Association of Insurance Commissioners' Insurance Data Security Model Law to establish insurance data security standards for insurance licensees.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; American Insurance Group, Inc.; and Hawaii Captive Insurance Council. Your Committee received comments on this measure from the American Council of Life Insurers.

Your Committee finds that there have been several major data breaches involving large insurers that exposed and compromised the sensitive personal information of millions of insurance consumers. As a result of these breaches, state insurance regulators made the reevaluation of the regulations around cybersecurity and consumer data protection a top priority. This measure adopts the National Association of Insurance Commissioners' Insurance Data Security Model Law that will establish insurance data security standards for Hawaii insurance licensees and ensure insurance data security protections for these licensees.

Your Committee has amended this measure by:

- (1) Clarifying that the licensee's domiciliary regulator shall have the power to examine and investigate the affairs of any licensee to determine whether the licensee has been or is engaged in any conduct in violation of the Insurance Data Security Law;
- (2) Amending certain references to "outside vendors" and "service providers" to use the defined term "third-party service providers";
- (3) Requiring each licensee, instead of each insurer, to submit an annual certification to the Insurance Commissioner;
- (4) Clarifying the notice requirements regarding cybersecurity events of third-party service providers;
- (5) Inserting language based on the Insurance Data Security Model Law that requires assuming insurers to notify its affected ceding insurers and the Insurance Commissioner of its state of domicile within three business days of receiving notice from its third-party service provider that a cybersecurity event has occurred involving nonpublic information that is in the possession, custody, or control of the third-party service provider; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1100, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 1100, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 1480 Judiciary & Hawaiian Affairs on S.B. No. 386

The purpose of this measure is to require a family court to make findings, after a hearing and in writing, before a minor can be transferred to an adult jail or lockup or be permitted sight or sound contact with adult offenders, subject to certain circumstances.

Your Committee received testimony in support of this measure from the Judiciary, Office of Hawaiian Affairs, Office of Youth Services, and two individuals. Your Committee received comments on this measure from the Office of the Public Defender, Department of Public Safety, and Department of Human Services.

Your Committee finds that the lifelong consequences of transferring a minor to the adult criminal justice system have a profoundly negative effect on the minor and the community. Your Committee further finds that the adult criminal justice system is ill-equipped in meeting the needs of minors. Evidence shows that minors are fundamentally different from adults and are more likely to experience abuse, commit suicide, and be exposed to prolonged periods of isolation. Adult facilities do not provide minors with developmentally appropriate rehabilitative services since adult facilities are not designed or staffed for the rehabilitation of youth. This measure will ensure that Hawaii is in compliance with federal law by maintaining sight and sound separation of minors from adults, except under certain circumstances, and eliminating confusion over the nature and scope of the Family Court's ongoing jurisdiction over minors.

Your Committee has amended this measure by:

- (1) Clarifying language regarding the exception for sight and sound contact between minors and adult inmates;
- (2) Requiring the court to hold a hearing no less frequently than once every thirty days, or in the case of a rural jurisdiction, no less frequently than once every forty-five days, to review whether it remains in the interest of justice to permit the minor to be held in a jail or lockup for adults or to have sight or sound contact with adult inmates;
- (3) Requiring, rather than authorizing, the circuit court to commit all offenders under eighteen years of age, duly convicted before the court, to the Hawaii youth correctional facilities in all cases where the court deems the sentence to be more suitable than the punishment otherwise authorized by law; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 386, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 386, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 1481 Judiciary & Hawaiian Affairs on S.B. No. 1260

The purpose of this measure is to:

- (1) Eliminate the use of monetary bail and require defendants to be released on their own recognizance for traffic offenses, violations, and nonviolent petty misdemeanor and misdemeanor offenses, with certain exemptions; and
- (2) Create a rebuttable presumption regarding release and detention for certain offenses and specify circumstances in which these presumptions apply.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawai'i Correctional System Oversight Commission, Office of the Public Defender, Office of the Prosecuting Attorney of the County of Kaua'i, Common Cause Hawaii, Young Progressives Demanding Action, Hawai'i Friends of Restorative Justice, Inua Alliance, Community Alliance on Prisons, Americans for Democratic Action, Native Hawaiian Legal Corporation, Hawai'i Health & Harm Reduction Center, R Street Institute, Hawai'i Association of Criminal Defense Lawyers, and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of the Attorney General, Department of the Prosecuting Attorney of the County of Maui, and Department of the Prosecuting Attorney of the City and County of Honolulu. Your Committee received comments on this measure from the Hawaii Disability Rights Center, American Civil Liberties Union of Hawai'i, and two individuals.

Your Committee finds that Hawaii's bail system is overwhelmed, inefficient, and ineffective, and continues to result in harmful, unnecessary socioeconomic impacts on low-income individuals and their families, a disproportionate number of whom may be Native Hawaiian. This measure seeks to reduce unnecessary pretrial incarceration and its cost to taxpayers and the community while maintaining public safety.

Your Committee has amended this measure by:

- (1) Amending its purpose section;
- (2) Amending the eligibility requirements for non-monetary bail;
- (3) Amending the conditions under which a court may set bail for nonviolent offenders;
- (4) Deleting language that would create a rebuttable presumption regarding release and detention for certain offenses and specify circumstances in which these presumptions apply;
- (5) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1260, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1260, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, 1 (Ward). Excused, 1 (D. Kobayashi).

SCRep. 1482 Agriculture on S.B. No. 668

The purpose of this measure is to expand the scope of the Agricultural Development and Food Security Special Fund (Fund) to include land-, aquaculture-, freshwater-, or sea-based food production and to rename the Fund as the Land-, Aquaculture-, Freshwater-, or Sea-based Food Development and Food Security Special Fund.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau and United Fishing Agency, Ltd. Your Committee received

comments on this measure from the Department of Agriculture and Department of Budget and Finance.

Your Committee finds that expanding the scope of the Fund to include land-, aquaculture-, freshwater-, or sea-based food production is an effective way to support the growth of these activities in Hawaii. Your Committee further finds that the inspection, quarantine, and eradication of invasive species contained in air cargo arriving into the State should be a high-priority responsibility of the Department of Agriculture.

Accordingly, your Committee has amended this measure by:

- (1) Adding a new part that:
 - (A) Requires the State to regulate all agricultural imports and inspections;
 - (B) Establishes the Air Cargo Pest Inspection, Quarantine, and Eradication Fund, to be expended by the Department of Agriculture solely for the inspection, quarantine, and eradication of invasive species contained in any air cargo arriving into the State; and
 - (C) Requires the Auditor to conduct a sunrise analysis on the Air Cargo Pest Inspection, Quarantine, and Eradication Fund and submit a report of the Auditor's findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2022;
- (2) Specifying that with respect to the use of Fund monies for the purchase of equipment necessary for land-, aquaculture-, freshwater-, or sea-based food production or processing activities, boat sizes must be forty feet or less; 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 668, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 668, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1483 Agriculture on S.B. No. 1027

The purpose of this measure is to redesignate the Industrial Hemp Special Fund as the Hemp Special Fund and authorize use of the monies in the Fund for the Department of Agriculture's duties regarding hemp as established by Act 14, Session Laws of Hawaii 2020 (Act 14).

Your Committee received testimony in support of this measure from the Department of Agriculture.

Your Committee finds that hemp cultivation can help diversify and infuse a significant amount of revenue into the State's economy. Your Committee notes that Act 14 assigned the Department of Agriculture certain duties relating to the cultivation of hemp within the State. However, your Committee also notes that the Act did not establish a special fund to assist the Department in its efforts to fulfill these duties. Accordingly, your Committee believes that redesignating the Industrial Hemp Special Fund as the Hemp Special Fund and amending its provisions will assist the Department of Agriculture in conducting its new regulatory duties relating to hemp.

Your Committee notes that while drafting administrative rules to implement the new chapter 328G, Hawaii Revised Statutes, enacted by Act 14, the Department of Health identified several areas where statutory clarification would be helpful in better distinguishing processing and manufacturing, distinguishing processed hemp and hemp products, clarifying the purpose and functions of the registry system, clarifying the scope of regulated hemp products and prohibitions, and clarifying the Department of Health's rulemaking and enforcement authorities. The Department of Health offered amendments to make these clarifications to a similar measure previously heard by your Committee. Your Committee finds that amendments to this measure are important to realizing a legal, regulated hemp industry in the State.

Accordingly, your Committee has amended this measure by:

- (1) Inserting amendments to chapter 328G, Hawaii Revised Statutes, proposed by the Department of Health to enable it to better regulate hemp processing and hemp product manufacturing and to make Act 14 permanent; and
- (2) 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1027, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1027, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Todd).

SCRep. 1484 Consumer Protection & Commerce on S.B. No. 766

The purpose of this measure is to allow a penalty of up to \$5,000 for each fourth or subsequent violation of the Motor Carrier Law within one calendar year.

Your Committee received testimony in support of this measure from the Public Utilities Commission, Hawaii Transportation Association, and one individual.

Your Committee finds that under the Motor Carrier Law, the Public Utilities Commission is authorized to impose a maximum fine of \$1,000 for each violation, with an additional maximum of \$500 per day the violation continues. However, this statutory limit does not sufficiently deter repeat violators from complying with the provisions of the Motor Carrier Law and lawful orders of the Public Utilities Commission. This measure will give the Public Utilities Commission the flexibility to determine penalties for violations by regulated motor carriers.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 766, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 766, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1485 Consumer Protection & Commerce on S.B. No. 714

The purpose of this measure is to clarify that the Hawaii Publicity Rights Act applies retroactively to protect the publicity rights of individuals who died before the date of enactment of the Act.

Your Committee received testimony in support of this measure from SAG-AFTRA Hawaii Local and four individuals.

Your Committee finds that the Hawaii Publicity Rights Act was enacted on July 15, 2009, to recognize the existence of the right of publicity, which is a property right in the commercial use of one's name, voice, signature, likeness, and other commercially valuable attributes. Your Committee further finds that it is an important law that allows the people of Hawaii to protect their legacy and rights that are not covered by federal copyright law and state and federal trademark laws; however, it does not protect those who predeceased the enactment of the Act. This measure ensures that Act applies retroactively to protect the publicity rights of all persons, living and dead.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 714, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as S.B. No. 714, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1486 Consumer Protection & Commerce on S.B. No. 1329

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

- (1) Require the chief procurement officer or designee to:
 - (A) Address protests to solicitations and awards of contracts as expeditiously as possible; and
 - (B) Uphold or deny a protest within seventy-five calendar days of receipt of the protest, if the protest is not resolved by mutual agreement, unless extenuating circumstances require additional time; and
- (2) Specify that a protest shall prevail if the protest is not resolved by mutual agreement or the chief procurement officer or designee does not issue a decision.

Your Committee received testimony in opposition to this measure from the Department of Human Services. Your Committee received comments on this measure from the Department of Accounting and General Services, Department of the Attorney General, Department of Education, Department of Transportation, State Procurement Office, and Associated Builders and Contractors Hawaii Chapter.

Your Committee finds that the procurement protest review process can be lengthy and complex, cause project delays, and increase project costs that are borne by taxpayers. Your Committee believes that the mechanisms provided for in this measure will expedite the protest review process and reduce the costs associated with state-awarded projects.

Your Committee has amended this measure by:

- (1) Clarifying that if a protest is not resolved by mutual agreement, the time restriction for the chief procurement officer or designee to uphold or deny a protest is limited to competitive sealed proposal and professional services methods of procurement; and
- (2) Changing the timeline to issue a written decision on the protest from a seventy-five calendar day deadline to an unspecified number of calendar days.

Should this measure progress through the legislative process, your Committee notes that further consideration and deliberation are necessary to determine whether seventy-five calendar days is an appropriate duration of time to allow the chief procurement officer to issue a written decision in response to a protest.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1329, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 1329, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1487 Consumer Protection & Commerce on S.B. No. 243

The purpose of this measure is to:

- (1) Require the Hawaii State Energy Office to develop a strategic plan that identifies clear strategies to achieve a resilient, clean energy, decarbonized economy as quickly as practicable but no later than 2045 and submit the strategic plan to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023; and
- (2) Require the Hawaii Natural Energy Institute of the University of Hawaii to conduct a feasibility study of the Hawaii State Energy Office's strategic plan and submit its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2023, 2028, 2033, 2043, and 2048.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Hawai'i Natural Energy Institute, Hawaiian Electric, Americans for Democratic Action, Climate Protectors Hawai'i, Imua Alliance, Environmental Caucus of The Democratic Party of Hawai'i, Hawaii Petroleum Marketers Association, Kauai Climate Action Coalition, Kauai Women's Caucus, and four individuals. Your Committee received comments on this measure from Ulupono Initiative.

Your Committee finds that the State has committed to several energy and environmental goals in an attempt to prevent or mitigate the effects of climate change, including the adoption of renewable portfolio standards and the zero emissions clean economy target. Your Committee, however, finds that no strategic plan currently exists for attaining the State's goal of achieving a one hundred percent renewable portfolio standard and zero emissions clean economy target by 2045. This measure better positions the State to achieve its renewable energy goals and lowers its dependence on nonrenewable energy sources.

Your Committee has amended this measure by 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 243, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 243, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1488 Consumer Protection & Commerce on S.B. No. 838

The purpose of this measure is to:

- (1) Allow person-centered support plans under the Kupuna Caregivers Program to be developed by care recipients and their qualified caregivers and to allow qualified caregivers to remain in the workforce;
- (2) Relax the thirty-hour per week employment requirement for qualified caregivers under the Kupuna Caregivers Program during a Governor-declared state of emergency;
- (3) Allow the Kupuna Caregivers Program to be delivered through either traditional service delivery or kupuna caregiver-directed services;
- (4) Allow the funds under the Kupuna Caregivers Program to be issued to the care recipient's financial management service provider; and
- (5) Require the Executive Office on Aging to submit an annual report to the Legislature regarding the Kupuna Caregivers Program.

Your Committee received testimony in support of this measure from the Department of Human Services; Executive Office on Aging; Policy Advisory Board for Elder Affairs; AARP Hawai'i; Rainbow Family 808; Hawaii Family Caregiver Coalition; Hawaii Alliance for Retired Americans; Alzheimer's Association, Aloha Chapter; and three individuals.

Your Committee finds that the services provided to caregivers and vulnerable adults through the Kupuna Caregivers Program are invaluable in helping to ensure their safety and health during the current state of emergency, possible job loss, and economic downturn. This measure seeks to reduce burdens on kupuna care services by providing additional flexibility to qualified caregivers and contracted providers.

Your Committee has amended this measure by 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 838, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 838, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1489 Consumer Protection & Commerce on S.B. No. 324

The purpose of this measure is to amend the definition of the practice of medicine to provide uniformity of practice for medical doctors and osteopathic doctors.

Your Committee received testimony in support of this measure from the Hawaii Medical Board, Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs, and Kaiser Permanente Hawai'i.

Your Committee finds that the definition of the practice of medicine was last amended in 2008 to add a separate, distinct definition of the practice of osteopathic medicine. However, your Committee notes that medical doctors and osteopathic doctors receive the same education and training and should be regulated equally. This measure updates the definition of the practice of medicine to bring parity with the current practice of medicine and provide uniformity for medical doctors and osteopathic doctors.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 324, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1490 Consumer Protection & Commerce on S.B. No. 663

The purpose of this measure is to require the Department of Health to establish a task force to study and recommend to the Legislature the feasibility of entering into the Solemn Covenant of the States to Award Prizes for Curing Diseases.

Your Committee received testimony in support of this measure from the Hawai'i Primary Care Association.

Your Committee finds that the goal of medical research is to develop safe and effective methods to prevent, detect, diagnose, treat, and ultimately cure various diseases. The development and innovation of new cures for major diseases has many potential benefits. However, your Committee believes that additional information is needed before the State commits to joining an interstate compact to award prizes for curing diseases.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 663, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1491 Higher Education & Technology on S.B. No. 913

The purpose of this measure is to promote electronics stewardship and reduce electronic waste in the State by establishing the Electronic Device and Television Donation Act to require all persons receiving state funds and state financial assistance to donate unnecessary but functioning electronic devices to nonprofit organizations that will refurbish and distribute the devices to eligible persons in the State.

Your Committee received testimony in support of this measure from the Department of Education, Transform Hawai'i Government, and Hawaiian Hope Org. Your Committee received testimony in opposition to this measure from Department of Accounting and General Services and State Procurement Office. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that growth in the technology industry has led to ongoing escalation of electronic waste in landfills. Your Committee also finds that while recycling of electronic devices prevents valuable materials from being wasted, preventing waste in the first place is preferable to waste management.

Donating used but functioning electronic devices for reuse extends the life of valuable products, keeps devices out of the waste stream for a longer period of time, and serves a valuable public purpose and benefit. Your Committee further finds that this measure will provide nonprofits in the State greater access to computers and other electronic devices that can be refurbished for community use, rather than being discarded as electronic waste.

Your Committee has amended this measure by:

- (1) Specifying the start date in which:
 - (A) A covered entity must at least annually identify any excess electronic device and transfer the title and possession of the device to a covered refurbisher at no cost, as January 1, 2022;
 - (B) A covered entity must annually report to the Department of Accounting and General Services any excess electronic device it transferred to a covered refurbisher during the previous year, as January 1, 2023;
 - (C) A covered refurbisher must annually report to the Department of Accounting and General Services any excess electronic device it received during the previous year, as February 1, 2023;
 - (D) The Department of Accounting and General Services must maintain and update a website with current information on covered refurbishers available in the State, as January 1, 2022; and
 - (E) The Department of Accounting and General Services must annually compile information submitted by covered refurbishers or the excess electronic devices it received and distributed during the previous year and submit a report to the Legislature, as April 1, 2023;
- (2) Specifying that a violation of the Electronic Device and Television Donation Act shall be subject to a penalty not to exceed \$1,000 for a first violation and a penalty not to exceed \$2,000 for a second and any subsequent violation; 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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 913, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 913, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 1492 Higher Education & Technology on S.B. No. 589

The purpose of this measure is to:

- (1) Eliminate operational and administrative redundancies between the University of Hawaii John A. Burns School of Medicine and the University of Hawaii Cancer Center and enable shared administrative services and expertise between them;
- (2) Establish the University of Hawaii Cancer Center in statute as the Cancer Research Center of Hawaii, an organized research unit to conduct cancer research, that is:
 - (A) Administered by a Director who is appointed by the University of Hawaii Board of Regents upon recommendation by the Provost of the University of Hawaii at Manoa and with the concurrence of the President of the University of Hawaii, reports to the Provost of the University of Hawaii at Manoa, and coordinates with the President of the University of Hawaii; and
 - (B) Affiliated with the John A. Burns School of Medicine;
- (3) Require that funds from the University of Hawaii Tuition and Fees Special Fund for the John A. Burns School of Medicine or Cancer Research Center of Hawaii be used for educational purposes only;
- (4) Require that funds from the Research and Training Revolving Fund for the John A. Burns School of Medicine or the Cancer Research Center of Hawaii be used for research and research-related purposes only;
- (5) Repeal the sunset provision in Act 38, Session Laws of Hawaii 2017, relating to research commercialization; and
- (6) Make the Innovation and Commercialization Initiative Program permanent by repealing the sunset provision in Act 39, Session Laws of Hawaii 2017.

Your Committee received testimony in opposition to this measure from the Hawaii Society of Clinical Oncology, four individuals, and a petition with numerous individuals. Your Committee received comments on this measure from the University of Hawai'i System; Hawaii Technology Development Corporation; Hawaiian Telcom; DataHouse Consulting, Inc.; Hawaiian Electric Industries; American Cancer Society Cancer Action Network; and Adnoviv, Inc.

Your Committee finds that the University of Hawaii Cancer Center, the only National Cancer Institute-designated cancer center in Hawaii and the Pacific, reduces the burden of cancer through research, education, patient care, and community outreach. Your Committee also finds that the University of Hawaii John A. Burns School of Medicine educates and trains health care professionals, conducts fundamental medical research, and translates discoveries into delivery practices.

Your Committee further finds that the amount of state funds and other resources provided to the John A. Burns School of Medicine and the University of Hawaii Cancer Center have been substantial. This underscores the importance of establishing complementary strategic priorities and coordinating the management and deployment of state resources applied to both organizations.

Additionally, your Committee finds that sound fiscal, managerial, and other resources that support University of Hawaii programs and activities in the areas of education, instruction, research commercialization, innovation, and economic development furthers the mission of the University of Hawaii, promotes economic health, and diversifies workforce opportunities.

Your Committee has amended this measure by:

- (1) Requiring the Director of the University of Hawaii Cancer Center and Dean of the John A. Burns School of Medicine to:
 - (A) Report and be accountable to the Provost of the University of Hawaii at Manoa, who shall be authorized to direct and achieve efficiencies at the John A. Burns School of Medicine and University of Hawaii Cancer Center; and
 - (B) Coordinate with the President of the University of Hawaii;
- (2) Requiring the programs of the John A. Burns School of Medicine, University of Hawaii Cancer Center, and University of Hawaii to identify opportunities for collaboration and maximize operational efficiencies between the John A. Burns School of Medicine and University of Hawaii Cancer

Center;

- (3) Requiring the University of Hawaii to develop and implement a plan for the John A. Burns School of Medicine and University of Hawaii Cancer Center to achieve greater operational efficiencies, reduce duplication of services, and share administrative functions to the maximum extent practicable;
- (4) Requiring the University of Hawaii President to submit a report on the progress of the plan prior to the convening of the 2023 Regular Session;
- (5) Extending the authority of the President of the University of Hawaii to act as the University of Hawaii's Chief Procurement Officer for all procurement contracts under chapter 103D, Hawaii Revised Statutes;
- (6) Updating its purpose section; and
- (7) 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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 589, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 589, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 1493 Judiciary & Hawaiian Affairs on S.B. No. 134

The purpose of this measure is to prohibit the Governor or mayors from suspending requests for public records or vital records or statistics during a declared state of emergency.

Your Committee received testimony in support of this measure from The Civil Beat Law Center for the Public Interest, League of Women Voters of Hawaii, Common Cause Hawaii, Society of Professional Journalists Hawaii Chapter, and eight individuals. Your Committee received comments on this measure from the Office of Information Practices and Grassroot Institute of Hawaii.

Your Committee finds that during the coronavirus disease 2019 pandemic, the Governor suspended the Uniform Information Practices Act (UIPA) in its entirety for two and a half months, and the deadlines under the UIPA indefinitely. Your Committee further finds that access to information is critical to ensure transparency and allow citizens to hold the government accountable. Your Committee recognizes that while it is important for the government to have flexibility during a state of emergency, there needs to be checks in place to prevent the overreach of those powers.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 134, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Takumi).

SCRep. 1494 Judiciary & Hawaiian Affairs on S.B. No. 135

The purpose of this measure is to require the Office of Enterprise Technology Services to:

- (1) Establish a working group to conduct a study to identify state office buildings that are able to provide equitable telecommunication access to allow residents of the counties of Hawaii, Kauai, and Maui, and residents of rural areas in the City and County of Honolulu, including residents with disabilities, to participate remotely in legislative hearings; and
- (2) Submit a report of its findings and recommendations, and any proposed legislation, to the Legislature prior to the 2022 Regular Session.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services.

Your Committee finds that the devastating effects of the coronavirus disease 19 pandemic highlighted the need for remote work and learning capabilities. In addition the pandemic changed the way people interact with government and each other. This measure will assist in making legislative hearings more accessible to residents throughout the State, particularly residents in rural areas and residents with disabilities, thus enabling opportunities for greater citizen participation in the legislative process.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 135, S.D. 2, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Takumi).

SCRep. 1495 Judiciary & Hawaiian Affairs on S.B. No. 387

The purpose of this measure is to improve the care and treatment of children in the juvenile justice system by:

- (1) Requiring certain children who are not released or deemed suitable for diversion to be taken without unnecessary delay to the family court or to the place of shelter designated by the family court;
- (2) Limiting the circumstances under which children at juvenile detention or adult jail facilities are subject to room confinement; and
- (3) Specifying the conditions and time limit for which room confinement may be imposed.

Your Committee received testimony in support of this measure from the Judiciary, Office of Youth Services, Office of the Public Defender, American Civil Liberties Union of Hawai'i, Hawai'i Psychological Association, and one individual.

Your Committee finds that in 2018, Congress passed the First Step Act which, among other things, prohibits facilities that confine youth in federal custody from using room confinement for discipline, punishment, retaliation, or any reason other than as a temporary response to a juvenile's behavior that poses a serious and immediate risk of physical harm to any individual, including the covered juvenile. Your Committee recognizes that the type of facility and the conditions where a child is confined can affect the child's health, safety, and outcomes upon reentry. This measure addresses the impact that room confinement has on the treatment and rehabilitation of children who are detained.

Your Committee has amended this measure by:

- (1) Clarifying that a child may be held in room confinement for more than three hours if the child is a danger to themselves or another; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 387, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 387, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Takumi).

SCRep. 1496 Judiciary & Hawaiian Affairs on S.B. No. 405

The purpose of this measure is to allow candidates, candidate committees, and noncandidate committees to choose which excess contributions by nonresident contributors to return within thirty days of the end of the election period, after which time all excess contributions shall escheat to the Hawaii Election Campaign Fund.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, LGBT Caucus of the Democratic Party of Hawaii, and seven individuals.

Your Committee finds that this measure provides an additional source of income for the Hawaii Election Campaign Fund and will allow candidates to more readily use available public financing through the Fund.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 405, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Takumi).

SCRep. 1497 Judiciary & Hawaiian Affairs on S.B. No. 560

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

Your Committee received testimony in support of this measure from FairVote Action, Americans for Democratic Action Hawaii, Common Cause Hawaii, Green Party Hawai'i, Young Progressives Demanding Action, and twelve individuals. Your Committee received testimony in opposition to this measure from four individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that ranked-choice voting is a method of voting that allows voters to rank their choice of candidates based on preference from favorite to least favorite. Your Committee believes that implementing ranked-choice voting in special elections for federal and county council offices may demonstrate that this method of voting can ensure fairer, more efficient, and more diverse elections.

Your Committee has amended this measure by:

- (1) Providing that in situations where there is a tie between candidates for the most votes in the final round, the candidate chosen by lot shall be declared the winner; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 560, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 560, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Tokioka). Noes, 1 (Ward). Excused, 1 (Takumi).

SCRep. 1498 Judiciary & Hawaiian Affairs on S.B. No. 664

The purpose of this measure is to:

- (1) Authorize the Department of Public Safety to develop a new Oahu Community Correctional Center; and
- (2) Appropriate funds for an oversight coordinator position and necessary support staff positions for the Hawaii Correctional System Oversight Commission.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Miyawaki Group, Hawai'i Psychological Association, and one individual. Your Committee received testimony in opposition to this measure from the Community Alliance on Prisons, Young Progressives Demanding Action, American Civil Liberties Union of Hawai'i, Ohana Ho'opakele, and eight individuals. Your Committee received comments on this measure from the Department of Public Safety, Office of the Public Defender, and Office of Hawaiian Affairs.

Your Committee finds that this measure will ensure that any new correctional facility will have programming focused on cultural-based rehabilitation and that best practices will be taken into account concerning the design of the facility and ways it can better serve the inmate population.

Your Committee further finds that the Legislature established the oversight coordinator position in 2019 when it established the Hawaii Correctional Oversight Commission. The Legislature specified the salary of the oversight coordinator, mandated that the oversight coordinator devote their entire time and attention to the administration of the Commission, and authorized the oversight coordinator to employ persons to perform the functions of the Commission. Nonetheless, to date, the Commission has operated without the benefit of an oversight coordinator or support staff.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 664, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 1 (D. Kobayashi). Excused, 1 (Takumi).

SCRep. 1499 Judiciary & Hawaiian Affairs on S.B. No. 866

The purpose of this measure is to temporarily exempt affordable housing projects by the Hawaii Housing Finance and Development Corporation from certain state and county fees and exactions related to discretionary approval or ministerial permitting when the housing units are exclusively for certain qualified residents.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation; Stanford Carr Development, LLC; Hunt Development Group, LLC; The Michaels Organization; Building Industry Association of Hawaii; NAIOP Hawaii; and Hawaii Habitat for Humanity Association. Your Committee received testimony in opposition to this measure from the Board of Water Supply of the City and County

of Honolulu. Your Committee received comments on this measure from the Land Use Research Foundation of Hawaii.

Your Committee finds that the affordable housing crisis has been exacerbated by the coronavirus disease 2019 (COVID-19) pandemic, which has decimated Hawaii's economy. According to recent data from the University of Hawaii Economic Research Organization, more than eleven thousand Hawaii tenants have fallen behind on their rent payments and forty percent of rental tenants have lost their jobs. Even as the State's economy slowly recovers, up to seventeen thousand households may face an unsustainable change in their housing cost burden by the second quarter of 2021. This measure will provide fiscal incentives to allow affordable housing projects to be more financially feasible, thereby promoting the development of affordable housing in the State.

Your Committee has amended this measure by:

- (1) Amending the exemption to:
 - (A) Apply to affordable housing projects, instead of affordable housing units in projects; and
 - (B) Specify that dwelling units developed as part of the project be exclusively made available to owner- or renter-occupants, instead of owner-occupants or renters; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 866, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 866, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 1 (D. Kobayashi). Excused, 1 (Takumi).

SCRep. 1500 Judiciary & Hawaiian Affairs on S.B. No. 1166

The purpose of this measure is to authorize the Board of Land and Natural Resources to approve rental reductions or waivers for leases that require substantial demolition costs or infrastructure improvement costs in order for the lessee to utilize the premises.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

Your Committee finds that this measure seeks to authorize the Board of Land and Natural Resources to approve a rent reduction or waiver for up to twenty years, not to exceed the amount of the lessee's total expenditures for demolition of improvements or provision of infrastructure. This measure is part of an effort by the Department of Land and Natural Resources to bring its leasing practices to commercially reasonable standards.

Your Committee has amended this measure by:

- (1) Clarifying that the aggregate amount of the reduced or waived lease rental shall not exceed the amount of the lessee's total expenditures for demolition or provision of the infrastructure; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1166, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 1166, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, 3 (D. Kobayashi, LoPresti, Todd). Excused, 1 (Takumi).

SCRep. 1501 Judiciary & Hawaiian Affairs on S.B. No. 1220

The purpose of this measure is to add the University of Hawaii to the list of agencies that are authorized to conduct criminal history record checks on current or prospective employees or contractors whose duties include ensuring the security of campus facilities and persons.

Your Committee received testimony in support of this measure from the Department of Human Resources Development, University of Hawai'i System, and one individual.

Your Committee finds that the University of Hawaii (University) is responsible for ensuring the safety and security of facilities and persons on its campuses. The University utilizes university security officers, who are civil service employees recruited by the Department of Human Resources Development. The University has entered into a delegation agreement with the Department of Human Resources Development for the University to perform all tasks associated with recruiting, selecting, and hiring university security officers, except for the task of completing criminal history record checks. This measure will statutorily enable the Department of Human Resources Development to also delegate to the University the authority to conduct criminal history record checks, thereby allowing the University to perform all aspects of the university security officer recruitment process more efficiently.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1220, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Takumi).

SCRep. 1502 Judiciary & Hawaiian Affairs on S.B. No. 1311

The purpose of this measure is to require the Department of Education to:

- (1) Establish locally-sourced food and zero-emission vehicle goals as part of the Sustainable Schools Initiative; and
- (2) Submit an annual report to the Legislature on the Sustainable Schools Initiative.

Your Committee received testimony in support of this measure from PlanIt, Hawai'i Youth Climate Coalition, Kauai Climate Action Coalition, 350Hawaii.org, Ulupono Initiative, Hawai'i Farm Bureau, Climate Protectors Hawaii, Blue Planet Foundation, Our Revolution Hawaii, Hawai'i Public Health Institute, Farm to Keiki, Zero Waste Oahu, Environmental Caucus of the Democratic Party of Hawai'i, and sixteen individuals. Your Committee received comments on this measure from the Hawaii State Energy Office and Department of Education.

Your Committee finds that this measure adds long-term targets to the Sustainable Schools Initiative to support meeting the goals of creating more sustainable environments at Department of Education campuses by increasing locally-sourced produce and proteins and transitioning to zero emission school

transportation.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1311, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 1311, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Takumi).

SCRep. 1503 Judiciary & Hawaiian Affairs on S.B. No. 219

The purpose of this measure is to impose extended terms of imprisonment for certain offenses against property rights committed on agricultural lands.

Your Committee received testimony in support of this measure from the Department of Agriculture, Ulupono Initiative, and Hawai'i Farm Bureau. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

Your Committee finds that agricultural crime persists in Hawaii despite various efforts to combat the problem. Crimes committed on agricultural lands can cause significant hardship for farmers, ranchers, and producers, which can potentially lead to bankruptcy. This measure seeks to deter criminal activity on agricultural lands and protect Hawaii's farmers, ranchers, and producers.

Your Committee has amended this measure by:

- (1) Deleting language that would have established a rebuttable presumption that an unauthorized person on agricultural land has committed an offense against certain property rights when on agricultural land;
- (2) Appropriating an unspecified amount of funds to the Department of the Attorney General to establish a statewide Agricultural Theft Task Force to provide law enforcement with tools necessary to identify agricultural theft perpetrators; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should the Committee on Finance deliberate on this measure further, your Committee on Judiciary & Hawaiian Affairs respectfully requests that it consider appropriating \$250,000 in initial funding for the statewide Agricultural Theft Task Force.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 219, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 219, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 1 (D. Kobayashi). Excused, 1 (Takumi).

SCRep. 1504 Judiciary & Hawaiian Affairs on S.B. No. 2

The purpose of this measure is to:

- (1) Exempt land set aside by the Governor to the Hawaii Housing Finance and Development Corporation and lands leased to the Hawaii Housing Finance and Development Corporation by other state departments or agencies from classification as public lands subject to Department of Land and Natural Resources management;
- (2) Require the land to be subject to legislative approval before the sale or gift of those lands;
- (3) Require the Hawaii Housing Finance and Development Corporation to return lands leased by any department or agency that are no longer needed for housing, finance, or development; and
- (4) Require the Hawaii Housing Finance and Development Corporation to submit certain documentation to the Office of Hawaiian Affairs regarding government or crown lands set aside or leased to the Hawaii Housing Finance and Development Corporation before developing or financing affordable housing development on those lands.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation; Department of Planning and Permitting of the City and County of Honolulu; and one individual. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs; Royal Order of Kamehameha I, Heiau O Mammalohoa Helu Elua; Ka Lāhui Hawai'i Kōmike Kalai'āina; Na Kupuna Moku O Keawe; Kūpuna for the Mo'opuna; Kanaeokana Kula Hawai'i Network; Hope Services Hawai'i; Native Hawaiian Legal Corporation; Hawaiian Affairs Caucus of the Democratic Party of Hawai'i; Community Alliance Partners; Hawai'i Alliance for Progressive Action; and numerous individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that setting aside land for the Hawaii Housing Finance and Development Corporation will help in streamlining the development of affordable housing on state lands by reducing the number of approvals required by the Department of Land and Natural Resources.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2, S.D. 2, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (LoPresti). Noes, 4 (D. Kobayashi, McKelvey, Tokioka, Ward). Excused, 1 (Takumi).

SCRep. 1505 Consumer Protection & Commerce on S.B. No. 1035

The purpose of this measure is to:

- (1) Establish the State Procurement Automation System Special Fund to fund the project management of the procurement automation system;
- (2) Allow the State Procurement Administrator to establish procedures for issuing the final decision on any procurement practice, procurement policy and procedures, and compliance investigations conducted by the State Procurement Office; and
- (3) Authorize the Administrator to assess and collect an administrative fee to be deposited into the State Procurement Automation System Special Fund to cover the costs of the procurement automation system.

Your Committee received testimony in support of this measure from the State Procurement Office. Your Committee received comments on this measure

from the Subcontractors Association of Hawaii and Plumbing and Mechanical Contractors Association of Hawaii.

Your Committee finds that the State Procurement Office is seeking to transition its manual procurement processes to an online digital system. Your Committee further finds that the establishment of a procurement automation system across the executive branch and state agencies, like the one proposed by this measure, will increase efficiencies and responsiveness; support consistent and standardized procurement practices and processes, policies, and procedures; and provide greater confidence to taxpayers by ensuring optimal compliance and transparency in following the Hawaii Public Procurement Code.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1035, S.D. 2, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1506 Consumer Protection & Commerce on S.B. No. 82

The purpose of this measure is to:

- (1) Require each new member of a board or commission to participate in an orientation and training session with the head of the department or agency with jurisdiction over that member's board or commission or a designee of the head of the department; and
- (2) Require each department and agency to update its members on information to supplement their initial training at least once per calendar year.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Human Services, Department of Land and Natural Resources, Department of Accounting and General Services, and Hawaii Employer-Union Health Benefits Trust Fund.

Your Committee finds that the board member selection process provides eligibility requirements that include subject matter proficiency and experience. This process has yielded governance boards whose members are knowledgeable, insightful, and decisive in providing invaluable policy guidance to government agencies. This measure ensures that new board and commission members have appropriate training to effectively fulfill their responsibilities.

Your Committee has amended this measure by clarifying language requiring new member training regarding the mission, roles, responsibilities, laws, programs, and procedures relevant to the work of the board or commission.

Your Committee notes that, in the Department of Commerce and Consumer Affairs' testimony before your Committee, the Department requested that support be given for online and on-demand training, to be used where feasible, to reduce travel and per diem costs, as well as to minimize inconvenience to board members.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 82, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 82, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1507 Consumer Protection & Commerce on S.B. No. 788

The purpose of this measure is to amend the Hawaii Public Procurement Code to increase economy, efficiency, effectiveness, and impartiality in public procurement by:

- (1) Allowing selection committees for the procurement of professional services the flexibility to weigh the selection criteria in the order of importance relevant to their agency and project;
- (2) Requiring the State Procurement Office to implement and administer a past performance database for state contractors;
- (3) Providing the head of a purchasing agency with the option to negotiate an adjustment of an otherwise successful bid for construction procurements to more closely align with an internal project price estimation;
- (4) Allowing a bidder of a public works construction project to clarify and correct non-material or technical issues with subcontractor listings for up to twenty-four hours after the bid submission deadline; and
- (5) Requiring bids for construction to be publicly opened no sooner than twenty-four hours after the bid submission deadline.

Your Committee received testimony in opposition to this measure from the Painting Industry of Hawaii Labor Management Cooperation Trust Fund; Hawaii Tapers Market Recovery Trust Fund; Hawaii Glaziers; Architectural Metal Glassworkers Local Union 1889 AFL-CIO Stabilization Trust Fund; Carpet, Linoleum and Soft Tile Local Union 1926 Market Recovery Trust Fund; Hawaii Electricians Market Enhancement Program; American Council of Engineering Companies of Hawaii; and one individual. Your Committee received comments on this measure from the Department of Accounting and General Services, State Procurement Office, Department of Design and Construction of the City and County of Honolulu, Subcontractors Association of Hawaii, Plumbing and Mechanical Contractors Association of Hawaii, and General Contractors Association of Hawaii.

Your Committee finds that the House of Representatives requested that the State Procurement Office review the State's procurement laws as compared to federal procurement law through House Resolution No. 142 (Regular Session of 2016). Specifically, the State Procurement Office was requested to conduct a cost-benefit analysis of the existing procurement process; examine issues and concerns raised by a pre-existing task force; review federal procurement laws and provide a comparison; analyze whether aligning the state procurement laws to the federal procurement laws would be beneficial; and examine the estimated time, effort, and costs to align the state procurement process to the federal procurement process. This measure adopts several recommendations made by the State Procurement Office to align with best practices evidenced in the federal procurement laws.

Your Committee notes, for purposes of ensuring that the intent is clear, that the twenty-four hour period for clarifying or correcting non-material or technical information does not and shall not apply or allow for any addition or substitution of listed joint subcontractors.

Your Committee has amended this measure by:

- (1) Deleting the provisions that provide the head of a purchasing agency with the option to negotiate an adjustment of an otherwise successful bid for construction procurements to more closely align with an internal project price estimation;
- (2) Restoring language that provides discretion in accepting construction bids that do not meet certain requirements, rather than mandating acceptance of those bids; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 788, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 788, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1508 Consumer Protection & Commerce on S.B. No. 947

The purpose of this measure is to establish the Hawaii Broadband and Digital Equity Office within the Department of Business, Economic Development, and Tourism.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Education; Department of Transportation; Department of Human Services; AARP Hawai'i; Hawai'i Primary Care Association; Broadband Hui; Kona-Kohala Chamber of Commerce; and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that the coronavirus 2019 pandemic has highlighted the importance of high quality and affordable broadband service access for all of the State's residents. High quality broadband service has enabled students to continue learning through distance learning and employees to work from home. However, the lack of high quality broadband service access has detrimentally affected students and workers in rural and low socio-economic urban areas. This measure will establish a Hawaii Broadband and Digital Equity Office to develop and support a coordinated strategy for increased access to further enhance economic development, education, health care, and emergency services.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 947, S.D. 2, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 947, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1509 Consumer Protection & Commerce on S.B. No. 263

The purpose of this measure is to:

- (1) Transfer oversight of the Made in Hawaii Program as it relates to manufactured products to the Department of Business, Economic Development, and Tourism;
- (2) Place the Grown in Hawaii with Aloha Program under the management of the Department of Agriculture;
- (3) Transfer ownership of the "Made in Hawaii with Aloha" trademark from the Department of Agriculture to the Department of Business, Economic Development, and Tourism; and
- (4) Appropriate funds to the Department of Business, Economic Development, and Tourism to promote the "Made in Hawaii with Aloha" brand.

Your Committee received testimony in support of this measure from the Hawaii Technology Development Corporation and Chamber of Commerce Hawaii. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; and Department of Agriculture.

Your Committee finds that clear identifiers for products that are made in Hawaii protect the integrity and value of authentic Hawaii branded products from products made elsewhere. This measure ensures that Hawaii's local manufactured and agricultural products can continue to be effectively marketed, identified, and promoted across the world.

Your Committee notes that the estimated appropriation amount necessary for the oversight and administration of the Made in Hawaii Program for fiscal years 2021-2022 and 2022-2023 is \$150,000 for each fiscal year.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount to the Department of Business, Economic Development, and Tourism for the oversight and administration of the "Made in Hawaii" Program; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 263, S.D. 2, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 263, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1510 Consumer Protection & Commerce on S.B. No. 973

The purpose of this measure is to amend the Hawaii Money Transmitters Act by:

- (1) Incorporating definitions of key terms provided in the Model Money Services Business Law published by the Conference of State Bank Supervisors;
- (2) Requiring an applicant for a money transmitter license to submit information concerning any bankruptcy or receivership proceedings;
- (3) Extending the period of an applicant's litigation and criminal conviction history review from five to ten years from the date of the application; and
- (4) Clarifying the authority of the Commissioner of Financial Institutions to examine and investigate licensees or authorized delegates of licensees and participate in nationwide protocols for licensing cooperation and coordination among state regulators.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that the money transmission industry has evolved significantly in the fifteen years since the enactment of Hawaii's Money Transmitters Act. The instantaneous global money transmission activity today necessitates additional oversight of money transmitters to provide appropriate consumer

protection. This measure ensures that Hawaii can work alongside a network of states to enable timely, coordinated, and efficient regulation of trans-global, regional, and single-state money transmission companies to provide financial stability and economic growth, while also protecting consumers.

Your Committee has amended this measure by changing the effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 973, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 973, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1511 Consumer Protection & Commerce on S.B. No. 1340

The purpose of this measure is to:

- (1) Align Hawaii with national trends and mitigate the unintended consequences associated with the deregulation of Hawaii's emergency medical services system by:
 - (A) Enabling the Hawaii Medical Board to issue licenses for emergency medical responders and other emergency ambulance personnel, which shall be based on certain requirements; and
 - (B) Including emergency medical responders in the State's pre-hospital response; and
- (2) Require the Department of Commerce and Consumer Affairs to examine a potential additional licensure category for emergency medical technicians who have received certain certification from the National Registry of Emergency Medical Technicians but who do not provide emergency ambulance services.

Your Committee received testimony in support of this measure from the Department of Health, State Fire Council, Maui Fire Department, and five individuals. Your Committee received comments on this measure from the Hawaii Medical Board and American Medical Response Hawaii.

Your Committee finds that existing law only provides for the certification of emergency ambulance personnel and does not provide for licensure or certification of emergency medical responders. Your Committee further finds that emergency medical responders are key providers within the State's emergency medical services system who provide at-the-scene, life-saving care with minimal equipment to critical care patients and have the knowledge and skills necessary to provide immediate interventions while awaiting arrival of additional emergency medical services. This measure enables the licensure of additional emergency personnel who meet specific national educational requirements.

Your Committee has amended this measure by:

- (1) Appropriating funds from the Compliance Resolution Fund for the Hawaii Medical Board to hire an unspecified number of full-time equivalent positions to administer the licensing program; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1340, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 1340, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1512 Consumer Protection & Commerce on S.B. No. 1313

The purpose of this measure is to require the Division of Aquatic Resources of the Department of Land and Natural Resources to:

- (1) Establish, no later than January 1, 2022, a pilot project to restock northern largemouth bass, butterfly peacock bass, or both, in the Wahiawa public fishing area in central Oahu; and
- (2) Apply to the Department of Agriculture for the permit to import the northern largemouth bass and work with another public entity or partner with a private entity to accomplish the pilot project.

Your Committee received testimony in support of this measure from eleven individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and Department of Agriculture.

Your Committee finds that the northern largemouth bass and butterfly peacock bass, also known as tucunare, are some of the most popular gamefish in the United States. However, your Committee notes that bass fishing in Hawaii is far less popular than in other states. One reason for the small number of anglers fishing for bass is the lack of a diverse population of these sport fish in Hawaii's artificial reservoirs. Your Committee further finds that restocking the Wahiawa public fishing area in central Oahu with new stocks of northern largemouth bass and butterfly peacock bass will refresh the genetic diversity of these fish populations, thereby enhancing and supporting the pre-existing populations for continued recreational fishing in Hawaii.

Your Committee notes that the Department of Land and Natural Resources raised concerns in its testimony before your Committee about the feasibility of establishing the pilot restocking project by January 1, 2022. The Department notes that it needs to fill a vacant biologist position and petition the Department of Agriculture to place the northern largemouth bass on an import list. While your Committee is agreeable to delaying the deadline for establishing the pilot project, your Committee notes that this should not delay any effort on the part of the Department to establish the pilot project as soon as practicable.

Your Committee has amended this measure by:

- (1) Changing the deadline for establishment of the pilot project from January 1, 2022, to January 1, 2023; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1313, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 1313, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1513 Consumer Protection & Commerce on S.B. No. 834

The purpose of this measure is to establish the felony offense of importation, sale, or possession of a childlike sex doll.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney for the County of Maui, Office of the Prosecuting Attorney for the County of Hawai'i, Honolulu Police Department, Department of the Prosecuting Attorney of the City and County of Honolulu, Ho'ōla Nā Pua, and five individuals.

Your Committee finds that the widespread availability of childlike sex dolls, which are designed to look and feel as lifelike as possible, enables the exploitation, objectification, abuse, and sexual assault of minors. Your Committee finds that the possession of a childlike sex doll correlates with other offenses perpetrated against children and may reinforce pedophilic thoughts and cause those thoughts to be acted upon with greater urgency. Your Committee recognizes the necessity of taking action to prohibit childlike sex dolls in the State. This measure will help protect the State's children from the serious risk to public safety associated with these objects by establishing the felony offense of importation, sale, or possession of a childlike sex doll.

Your Committee has amended this measure by:

- (1) Lowering the threshold for the number of childlike sex dolls in a person's possession before the offense increases from a class C felony to a class B felony from ten to five;
- (2) Specifying that childlike sex dolls are those that resemble a person below the age of eighteen years, rather than below the age of puberty; and
- (3) Changing the effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 834, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 834, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1514 Consumer Protection & Commerce on S.B. No. 974

The purpose of this measure is to:

- (1) Authorize installment-based small dollar loan transactions in the State with certain interest rate and fee requirements;
- (2) Establish various consumer protection requirements for small dollar loans;
- (3) Require licensure, beginning January 1, 2023, for small dollar lenders that offer small dollar loans, subject to the oversight of the Division of Financial Institutions of the Department of Commerce and Consumer Affairs; and
- (4) Prohibit check cashers from entering into an agreement for deferred deposit with a customer.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs. Your Committee received testimony in opposition to this measure from Dollar Financial Group and Maui Loan Inc. Your Committee received comments on this measure from the Hawaii Financial Services Association.

Your Committee finds that a 2019 survey of household financial health in Hawaii found that twenty-one percent of all households use an alternative financial service product, such as a check cashing or payday loan service, at least once during the year. Alternative financial service products provide financial assistance to unbanked and underbanked persons who do not have access to traditional financial service products. However, your Committee further finds that because of the State's existing deferred deposit laws, consumers may use payday lending in a manner that traps them in an unsustainable cycle of debt. Your Committee believes it is necessary to establish further consumer protections to ensure that consumers responsibly utilize deferred deposit products.

Your Committee additionally finds that the establishment of installment-based small dollar loans with sufficient consumer protections will benefit consumers, including the unbanked and underbanked population, ensure lending terms that are mutually sustainable for consumers and lenders, and encourage responsible and transparent lending.

Your Committee has amended this measure by:

- (1) Deleting the provisions prohibiting deferred deposit transactions by check cashers;
- (2) Inserting provisions that enhance consumer protections in deferred deposit transactions by requiring check cashers to:
 - (A) Be licensed with the Department of Commerce and Consumer Affairs;
 - (B) Offer voluntary payment plans for deferred deposit transactions;
 - (C) Take reasonable measures to ensure that consumers are limited to one deferred deposit transaction; and
 - (D) Provide additional disclosures and notices;
- (3) Requiring the Division of Financial Institutions of the Department of Commerce and Consumer Affairs to evaluate the regulation of check cashers that enter into deferred deposit transactions as proposed by this measure and to report its findings to the Legislature prior to the Regular Session of 2023;
- (4) Changing the effective date for the establishment of small dollar loans and the licensure of small dollar loan lenders to July 1, 2023; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 974, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 974, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1515 Water & Land on H.R. No. 81

The purpose of this measure is to urge the Department of Facility Maintenance of the City and County of Honolulu, in conjunction with the United States Army Corps of Engineers and Department of Environmental Services of the City and County of Honolulu, to:

- (1) Immediately clean the drainage canals and streams in Kaneohe and Kailua; and

- (2) Develop recommended cleaning schedules for drainage canals and streams and regularly clean the drainage canals and streams in Kaneohe and Kailua based on this schedule.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed H.D. 1, which deletes the contents of this measure and inserts language that:

- (1) Requests the City and County of Honolulu to develop a comprehensive plan to drain and clear streams and canals that flow in residential areas in Waiahole and other Koolauloa communities;
- (2) Addresses recent heavy rainfall that caused flooding in certain parts of Oahu, including Haleiwa and Waialua, and the continued struggles of residents of Koolauloa to dispose of debris and mud;
- (3) Requests that the Hawaii Emergency Management Agency and Department of Emergency Management of the City and County of Honolulu improve the flash flood warning system;
- (4) Requests the City and County of Honolulu to create a comprehensive action plan for each Council district to mitigate the impacts of flooding and hurricanes; and
- (5) Requests that first responders coordinate more closely to ensure that residents have safe evacuation routes in the event of flooding.

Your Committee received testimony in support of the proposed H.D. 1 from the Hawai'i Lodging & Tourism Association and four individuals.

Your Committee finds that the proposed H.D. 1 was prompted by recent events caused by heavy rain on Oahu and the continuing difficulties residents of Koolauloa face in disposing of debris and mud. The proposed H.D. 1 is intended to address residents' concerns that government be prepared for a quick and coordinated response.

Your Committee has amended this measure by:

- (1) Adopting the proposed H.D. 1;
- (2) Amending its title to read, "REQUESTING THE CITY AND COUNTY OF HONOLULU, IN CONJUNCTION WITH THE UNITED STATES ARMY CORPS OF ENGINEERS, TO DEVELOP A COMPREHENSIVE PLAN TO REGULARLY DRAIN AND CLEAR STREAMS AND CANALS THAT FLOW IN RESIDENTIAL AREAS IN WAIHOLE, HALEIWA, WAIALUA, KANEOHE, AND OTHER KOOLAULOA COMMUNITIES.";
- (3) Bolstering the bases for the requested comprehensive plan;
- (4) Requesting the City and County of Honolulu to work in conjunction with the United States Army Corps of Engineers to develop the comprehensive plan for the Koolauloa communities and for each Council district, and specifying Haleiwa, Waialua, and Kaneohe as additional areas of concern; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 81, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.R. No. 81, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1516 Health, Human Services, & Homelessness on H.R. No. 57

The purpose of this measure is to designate September as National Suicide Prevention and Action Month.

Your Committee received testimony in support of this measure from Hawaii Family Forum and one individual.

Your Committee finds that September is known nationally as "Suicide Prevention Month", a designation that is intended to promote awareness and raise visibility of the mental health resources and suicide prevention services available in the community.

Your Committee has amended this measure by:

- (1) Inserting language acknowledging that suicide was the eleventh leading cause of death in Hawaii in 2020 and the second leading cause of death for those ages ten to thirty-four in Hawaii;
- (2) Inserting language asserting the State's commitment to lowering suicide rates;
- (3) Clarifying that this measure will designate September 2021 as Suicide Prevention and Action Month;
- (4) Changing its title to read, "DESIGNATING SEPTEMBER 2021 AS SUICIDE PREVENTION AND ACTION MONTH."; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 57, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.R. No. 57, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (LoPresti).

SCRep. 1517 Consumer Protection & Commerce on H.C.R. No. 16

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Kaalawai, Honolulu, Oahu, for the existing seawall constructed on those state submerged lands, and the use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that portions of an existing seawall fronting private property located in Kaalawai, and spanning 214 square feet, encroaches onto state submerged lands. Your Committee further finds that the Department of Land and Natural Resources granted a 55-year non-exclusive easement to run with the land and to inure to the benefit of the abutting real property to resolve the encroachment. This measure authorizes the granting of a term, non-exclusive easement, as required by state law, for the portion of identified state submerged lands in Kaalawai that have been encroached upon by the seawall, and for the use, repair, and maintenance of the existing improvements constructed thereon.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 16 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 1518 Consumer Protection & Commerce on H.C.R. No. 17

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Waimanalo, Koolaupoko, Oahu, for the existing pier, seawall, and steps, and for the use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the existing pier, seawall, and steps fronting private property located in Waimanalo, and spanning 2,818 square feet, encroaches onto state submerged lands. Your Committee further finds that the Department of Land and Natural Resources granted a 55-year non-exclusive easement to run with the land and to inure to the benefit of the abutting real property to resolve the encroachment. This measure authorizes the granting of a term, non-exclusive easement, as required by state law, for the portion of identified state submerged lands in Waimanalo that have been encroached upon by the pier, seawall, and steps, and for the use, repair, and maintenance of the existing improvements constructed thereon.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 17, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 1519 Consumer Protection & Commerce on H.C.R. No. 18

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Kamaole, Kula, Maui, for the existing rubble rock revetment, rock wall, and two concrete stairways, and for the use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the existing rubble rock revetment, rock wall, and two concrete stairways fronting private property located in Kamaole, and spanning 18,668 square feet, encroaches onto state submerged lands. Your Committee further finds that the Department of Land and Natural Resources granted a 55-year non-exclusive easement to the Association of Apartment Owners of Hale Pau Hana. This measure authorizes the granting of a term, non-exclusive easement, as required by state law, for the portion of identified state submerged lands in Kamaole that have been encroached upon by the existing rubble rock revetment, rock wall, and two concrete stairways, and for the use, maintenance, repair, replacement, and removal of the existing improvements constructed thereon.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 18 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 1520 Consumer Protection & Commerce on H.C.R. No. 19

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a perpetual, non-exclusive easement covering a portion of state submerged lands at Maunaloa, Honolulu, Oahu, for the existing storm drain, and for the use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the existing storm drain fronting property located in Maunaloa, Honolulu, Oahu, and spanning 174 square feet, encroaches onto state submerged lands. Your Committee further finds that the Department of Land and Natural Resources granted a perpetual non-exclusive easement to resolve the encroachment. This measure authorizes the granting of a perpetual non-exclusive easement, as required by state law, for the portion of the identified state submerged lands in Maunaloa that have been encroached upon by the existing storm drain, and for the use, repair, and maintenance of the existing improvements constructed thereon.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 19 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 1521 Consumer Protection & Commerce on H.C.R. No. 20

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a perpetual, non-exclusive easement covering a portion of state submerged lands at Kaneohe, Koolaupoko, Oahu, for the existing storm drain, and for the use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the existing storm drain fronting property located in Kaneohe, Koolaupoko, Oahu, and spanning 679 square feet, encroaches onto state submerged lands. Your Committee further finds that the Department of Land and Natural Resources granted a perpetual non-exclusive easement to resolve the encroachment. This measure authorizes the granting of a perpetual non-exclusive easement, as required by state law, for the portion of the identified state submerged land in Kaneohe that have been encroached upon by the existing storm drain, and for use, repair, and maintenance of the existing improvements constructed thereon.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 20 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 1522 Consumer Protection & Commerce on H.C.R. No. 21

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Napili 2 and 3, Lahaina, Maui, for the existing walkway, and for the use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Napili Kai Beach Resort.

Your Committee finds that the existing walkway fronting private property located in Napili, and spanning 142 square feet, encroaches onto state submerged lands. Your Committee further finds that the Department of Land and Natural Resources granted a term, non-exclusive easement to run with the land and to inure to the benefit of the abutting real property to resolve the encroachment. This measure authorizes the granting of a term, non-exclusive easement, as required by state law, for the portion of identified state submerged lands in Napili that have been encroached upon by the walkway, and for the use, repair, and maintenance of the existing improvements constructed thereon.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 21 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 1523 Consumer Protection & Commerce on H.C.R. No. 22

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Waiohuli-Keokea, Wailuku, Maui, for the existing seawall, and for the use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the existing seawall fronting private property located in Waiohuli-Keokea, and spanning 928 square feet, encroaches onto state submerged lands. Your Committee further finds that the Department of Land and Natural Resources granted a 65-year non-exclusive easement to run with the land and to inure to the benefit of the abutting condominium property regime units to resolve the encroachment. This measure authorizes the granting of a term, non-exclusive easement, as required by state law, for the portion of identified state submerged lands in Waiohuli-Keokea that have been encroached upon by the seawall, and for the use, repair, and maintenance of the existing improvements constructed thereon.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 22, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 1524 Consumer Protection & Commerce on H.C.R. No. 23

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Waiohuli-Keokea Homesteads, Kihei, Maui, for the existing seawall, rock revetment, and concrete steps, and for the use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the existing walkway fronting private property located in Waiohuli-Keokea, and spanning 668 square feet, encroaches onto state submerged lands. Your Committee further finds that the Department of Land and Natural Resources granted a 55-year non-exclusive easement to run with the land and to inure to the benefit of the abutting real property to resolve the encroachment. This measure authorizes the granting of a term, non-exclusive easement, as required by state law, for the portion of identified state submerged lands in Waiohuli-Keokea that have been encroached upon by the seawall, rock revetment, and concrete steps, and for the use, repair, and maintenance of the existing improvements constructed thereon.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 23 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 1525 Consumer Protection & Commerce on H.C.R. No. 49

The purpose of this measure is to authorize the Department of Transportation, with the prior approval of the Board of Land and Natural Resources, to issue a lease covering a portion of state submerged lands at Pier 27 in Honolulu Harbor, Oahu, to Atlantis Submarines Hawaii, LLC.

Your Committee received testimony in support of this measure from Atlantis Submarines Hawaii, LLC.

Your Committee finds that Atlantis Submarines Hawaii, LLC, operates a repair and maintenance facility, which has been relocated by the State from Pier 41 to Pier 27. Due to the relocation, Atlantis Submarines Hawaii, LLC, will have access to fast lanes at Pier 27 and the state submerged lands fronting the property bound by Pier 27, spanning a total of 26,876 square feet. This measure authorizes the granting of a lease, as required by state law, for the leasing of state submerged lands fronting the property bound by Pier 27.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 49, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 1526 Consumer Protection & Commerce on H.R. No. 36

The purpose of this measure is to urge the United States Congress to grant additional authority to the Federal Communications Commission to stop unwanted and illegal robocalls.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that robocalls, spoofing calls, and robocalls that employ spoofing technology are a major consumer issue. Robocalls are unsolicited prerecorded telemarketing calls through the use of a computerized autodialer. Spoofing calls are calls conducted with a deliberately falsified caller identification to disguise the identity of the number of the caller. United States consumers receive billions of robocalls, spoofing calls, and robocalls that employ spoofing technology each year.

Your Committee further finds that the Federal Communications Commission (FCC) is the federal agency tasked with regulating interstate and international communications, including robocalls and spoofing calls. The FCC has made progress on curbing and deterring robocalls and spoofing calls. In penalizing parties that deploy robocalls and spoofing calls, the FCC has imposed millions of dollars in fines. Your Committee, however, finds that further legal authority and resources will allow the FCC to dramatically curb the practice of robocalls and spoofing calls.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 36 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 1527 Consumer Protection & Commerce on H.C.R. No. 45

The purpose of this measure is to urge the United States Congress to grant additional authority to the Federal Communications Commission to stop unwanted and illegal robocalls.

Your Committee received testimony in support of this measure from seven individuals.

Your Committee finds that robocalls, spoofing calls, and robocalls that employ spoofing technology are a major consumer issue. Robocalls are unsolicited prerecorded telemarketing calls through the use of a computerized autodialer. Spoofing calls are calls conducted with a deliberately falsified caller identification to disguise the identity of the number of the caller. United States consumers receive billions of robocalls, spoofing calls, and robocalls that employ spoofing technology each year.

Your Committee further finds that the Federal Communications Commission (FCC) is the federal agency tasked with regulating interstate and international communications, including robocalls and spoofing calls. The FCC has made progress on curbing and deterring robocalls and spoofing calls. In penalizing parties that deploy robocalls and spoofing calls, the FCC has imposed millions of dollars in fines. Your Committee, however, finds that further legal authority and resources will allow the FCC to dramatically curb the practice of robocalls and spoofing calls.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 45 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 1528 Consumer Protection & Commerce on H.R. No. 99

The purpose of this measure is to convene a working group to determine the gaps in access to health care and the scope of care of advanced practice registered nurses.

Your Committee received comments on this measure from the Board of Nursing, Hawaii Medical Board, University of Hawai'i System, and Hawai'i State Center for Nursing.

Your Committee finds that the State's health care system has been in a state of crisis since before the COVID-19 pandemic, which only exacerbated and further highlighted its shortcomings. Your Committee further finds that rural and neighbor island communities have a physician shortage restricting access to health care. Advanced practice registered nurses are highly trained health care professionals who may assist in increasing the supply of health care providers to those communities in need. This measure will gather the necessary information to make informed policy decisions in determining the role of advanced practice registered nurses in the State's health care system.

Your Committee has amended this measure by:

- (1) Requesting that the Working Group determine the potential role advanced practice registered nurses may play in addressing the gaps in health care, rather than determining the scope of practice of advanced practice registered nurses;
- (2) Amending the tasks requested of the Working Group by removing tasks regarding the scope of procedures and care and a comparative study to other jurisdictions;
- (3) Amending the membership of the Working Group to include a representative from each major nonprofit health care system and any other individuals invited by either co-chairperson;
- (4) Changing the deadline for the requested report to the Legislature to twenty days prior to the convening of the Regular Session of 2023;
- (5) Changing the date on which the Working Group is requested to dissolve to December 30, 2022;
- (6) Amending the title to read, "REQUESTING THE CONVENING OF A WORKING GROUP TO DETERMINE THE GAPS IN ACCESS TO HEALTH CARE AND THE POTENTIAL ROLE ADVANCED PRACTICE REGISTERED NURSES MAY PLAY IN ADDRESSING THESE GAPS."; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the Working Group should consult with rural and neighbor island health care organizations to ensure that their perspectives and opinions are within the discussions that will shape the Working Group's final report.

Your Committee further notes that H.R. No. 100, H.D. 1 (Regular Session of 2021), is a complementary measure intended to provide the Working Group with additional data and information to fulfill the Working Group's tasks.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 99, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 99, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 1529 Consumer Protection & Commerce on H.C.R. No. 123

The purpose of this measure is to convene a working group to determine the gaps in access to health care and the scope of care of advanced practice registered

nurses (Working Group).

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Board of Nursing, Hawaii Medical Board, University of Hawai'i System, Hawai'i State Center for Nursing, and The Queen's Health Systems.

Your Committee finds that the State's health care system has been in a state of crisis since before the COVID-19 pandemic, which only exacerbated and further highlighted its shortcomings. Your Committee further finds that rural and neighbor island communities have a physician shortage restricting access to health care. Advanced practice registered nurses are highly trained health care professionals who may assist in increasing the supply of health care providers to those communities in need. This measure will gather the necessary information to make informed policy decisions in determining the role of advanced practice registered nurses in the State's health care system.

Your Committee has amended this measure by:

- (1) Requesting that the Working Group determine the potential role advanced practice registered nurses may play in addressing the gaps in health care, rather than determining the scope of practice of advanced practice registered nurses;
- (2) Amending the tasks requested of the Working Group by removing tasks regarding the scope of procedures and care and a comparative study to other jurisdictions;
- (3) Amending the membership of the Working Group to include a representative from each major nonprofit health care system and any other individuals invited by either co-chairperson;
- (4) Changing the deadline for the requested report to the Legislature to twenty days prior to the convening of the Regular Session of 2023;
- (5) Changing the date on which the Working Group is requested to dissolve to December 30, 2022;
- (6) Amending the title to read, "REQUESTING THE CONVENING OF A WORKING GROUP TO DETERMINE THE GAPS IN ACCESS TO HEALTH CARE AND THE POTENTIAL ROLE ADVANCED PRACTICE REGISTERED NURSES MAY PLAY IN ADDRESSING THESE GAPS."; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the Working Group should consult with rural and neighbor island health care organizations to ensure that their perspectives and opinions are within the discussions that will shape the Working Group's final report.

Your Committee further notes that H.C.R. No. 124, H.D. 1 (Regular Session of 2021), is a complementary measure intended to provide the Working Group with additional data and information to fulfill the Working Group's tasks.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 123, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 123, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 1530 Consumer Protection & Commerce on H.R. No. 100

The purpose of this measure is to request the Legislative Reference Bureau to conduct an analysis of advanced practice registered nurses and physician assistants.

Your Committee received comments on this measure from the Board of Nursing, Hawaii Medical Board, University of Hawai'i System, and Hawai'i State Center for Nursing.

Your Committee finds that the State's health care system has been in a state of crisis since before the COVID-19 pandemic, which only exacerbated and further highlighted its shortcomings. Your Committee further finds that rural and neighbor island communities have a physician shortage restricting access to health care. Advanced practice registered nurses and physician assistants are highly trained health care professionals who may assist in increasing the supply of health care providers to those communities in need.

Your Committee further finds that multiple measures have been introduced in the Legislature addressing the scope of practice of advanced practice registered nurses in a piecemeal fashion, rather than considering the broader scope of practice of advanced practice registered nurses and their role in the State's health care system. This measure will provide valuable information to make informed policy decisions in determining the role of advanced practice registered nurses and physician assistants in the State's health care system.

Your Committee notes that this measure is intended to be a complementary measure to H.R. No. 99, H.D. 1 (Regular Session of 2021) and that it is the intent that the findings under this measure will inform the working group established under H.R. No. 99, H.D. 1 of the data and information necessary to fulfill the working group's tasks.

Your Committee has amended this measure by:

- (1) Clarifying that the analysis include an examination of potential scope of practice limitations in the Hawaii Administrative Rules;
- (2) Clarifying that the Legislative Reference Bureau needs to only submit its findings in the report to the Legislature; 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 Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 100, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 100, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 1531 Consumer Protection & Commerce on H.C.R. No. 124

The purpose of this measure is to request the Legislative Reference Bureau to conduct an analysis of advanced practice registered nurses and physician assistants.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Board of Nursing, Hawaii Medical Board, Legislative Reference Bureau, University of Hawai'i System, and Hawai'i State Center for Nursing.

Your Committee finds that the State's health care system has been in a state of crisis since before the COVID-19 pandemic, which only exacerbated and

further highlighted its shortcomings. Your Committee further finds that rural and neighbor island communities have a physician shortage restricting access to health care. Advanced practice registered nurses and physician assistants are highly trained health care professionals who may assist in increasing the supply of health care providers to those communities in need.

Your Committee further finds that multiple measures have been introduced in the Legislature addressing the scope of practice of advanced practice registered nurses in a piecemeal fashion, rather than considering the broader scope of practice of advanced practice registered nurses and their role in the State's health care system. This measure will provide valuable information to make informed policy decisions in determining the role of advanced practice registered nurses and physician assistants in the State's health care system.

Your Committee notes that this measure is intended to be a complementary measure to H.C.R. No. 123, H.D. 1 (Regular Session of 2021) and that it is the intent that the findings under this measure will inform the working group established under H.C.R. No. 123, H.D. 1 of the data and information necessary to fulfill the working group's tasks.

Your Committee has amended this measure by:

- (1) Clarifying that the analysis include an examination of potential scope of practice limitations in the Hawaii Administrative Rules;
- (2) Clarifying that the Legislative Reference Bureau needs to only submit its findings in the report to the Legislature; 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 Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 124, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 124, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 1532 Finance on H.C.R. No. 97

The purpose of this measure is to request the formation of a task force on North Road management.

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. 97 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1533 Finance on H.R. No. 66

The purpose of this measure is to request the Department of Transportation Services of the City and County of Honolulu to conduct a traffic safety analysis regarding the implementation of traffic calming systems.

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. 66 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1534 Finance on H.C.R. No. 78

The purpose of this measure is to request the Department of Transportation Services of the City and County of Honolulu to conduct a traffic safety analysis regarding the implementation of traffic calming systems.

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. 78 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1535 Finance on H.R. No. 76

The purpose of this measure is to request the Hawaii Emergency Management Agency to convene a Resiliency Health Disaster Task Force to develop a coordinated statewide resiliency health disaster plan.

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. 76 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1536 Finance on H.C.R. No. 91

The purpose of this measure is to request the Hawaii Emergency Management Agency to convene a Resiliency Health Disaster Task Force to develop a coordinated statewide resiliency health disaster plan.

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. 91 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1537 Finance on H.R. No. 83

The purpose of this measure is to request the Department of the Attorney General to develop and implement a program to prevent, and to assist victims of, human trafficking and child commercial sexual exploitation.

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. 83, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1538 Finance on H.C.R. No. 100

The purpose of this measure is to request the Department of the Attorney General to develop and implement a program to prevent, and to assist victims of, human trafficking and child commercial sexual exploitation.

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. 100, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1539 Finance on H.R. No. 94

The purpose of this measure is to request the Department of Commerce and Consumer Affairs, following the completion of the Department of Commerce and Consumer Affairs' Division of Financial Institutions' and Hawaii Technology Development Corporation's study, to reconsider its 2016 ruling on asset reserve requirements for digital currency companies, virtual currency companies, and cryptocurrency companies to conduct business in Hawaii and to align the State's asset reserve requirements for these companies with the asset reserve requirements in other states.

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. 94, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1540 Finance on H.C.R. No. 118

The purpose of this measure is to request the Department of Commerce and Consumer Affairs, following the completion of the Department of Commerce and Consumer Affairs' Division of Financial Institutions' and Hawaii Technology Development Corporation's study, to reconsider its 2016 ruling on asset reserve requirements for digital currency companies, virtual currency companies, and cryptocurrency companies to conduct business in Hawaii and to align the State's asset reserve requirements for these companies with the asset reserve requirements in other states.

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. 118, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1541 Finance on H.R. No. 95

The purpose of this measure is to urge the Department of Agriculture, Department of Health, Department of Land and Natural Resources, and University of Hawaii to develop and implement a mosquito control program that uses *Wolbachia* bacteria to reduce mosquito population levels throughout 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. 95, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1542 Finance on H.C.R. No. 119

The purpose of this measure is to urge the Department of Agriculture, Department of Health, Department of Land and Natural Resources, and University of Hawaii to develop and implement a mosquito control program that uses *Wolbachia* bacteria to reduce mosquito population levels throughout 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. 119, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1543 Finance on H.R. No. 97

The purpose of this measure is to request the Governor to convene a working group to develop recommendations for effective communications with limited English proficient persons and persons with disabilities.

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. 97, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1544 Finance on H.C.R. No. 121

The purpose of this measure is to request the Governor to convene a working group to develop recommendations for effective communications with limited English proficient persons and persons with disabilities.

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 the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1545 Finance on H.R. No. 86

The purpose of this measure is to request that the Director of Labor and Industrial Relations convene a task force to study, design, and develop a Paid Family Leave Pilot Program.

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. 86, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1546 Finance on H.C.R. No. 104

The purpose of this measure is to request that the Director of Labor and Industrial Relations convene a task force to study, design, and develop a Paid Family Leave Pilot Program.

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. 104, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1547 Finance on H.C.R. No. 130

The purpose of this measure is to request the Director of Taxation to waive penalties and interest sought from small businesses and individual taxpayers as a result of undue hardship related to the coronavirus disease 2019 (COVID-19) pandemic.

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. 130 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1548 Finance on H.C.R. No. 111

The purpose of this measure is to assert that racism is a public health crisis and urge the State to take steps to eliminate and recognize racial inequities.

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. 111 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1549 Finance on H.R. No. 10

The purpose of this measure is to urge the Board of Education and Department of Education to support and implement community schools as an equity strategy for increasing access to a high-quality education and addressing COVID-19 learning loss.

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 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1550 Finance on H.C.R. No. 9

The purpose of this measure is to urge the Board of Education and Department of Education to support and implement community schools as an equity strategy for increasing access to a high-quality education and addressing COVID-19 learning loss.

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. 9 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1551 Finance on H.C.R. No. 24

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands at Waiohuli-Keokea Homesteads and Beach Lots, Kihei, Maui, for the existing seawall and rock revetment, and for use, repair, and maintenance of the existing improvements constructed thereon.

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. 24 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, 1 (Wildberger). Excused, 2 (Yamashita, McDermott).

SCRep. 1552 Finance on H.C.R. No. 25

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands at Maunaloa, Honolulu, Oahu, for the existing seawall, and for use, repair, and maintenance of the existing improvements constructed thereon.

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. 25 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, 1 (Wildberger). Excused, 2 (Yamashita, McDermott).

SCRep. 1553 Finance on H.R. No. 23

The purpose of this measure is to request the Department of Land and Natural Resources to establish a community advisory committee for Polihale State Park on the island of Kauai.

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. 23, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1554 Finance on H.C.R. No. 30

The purpose of this measure is to request the Department of Land and Natural Resources to establish a community advisory committee for Polihale State Park on the island of Kauai.

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. 30, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1555 Finance on H.R. No. 25

The purpose of this measure is to urge the Department of Education to develop and implement an affirmative action program designed to recruit and employ qualified blind professionals to serve as orientation and mobility instructors and in other positions as teachers of visually impaired students.

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. 25 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1556 Finance on H.C.R. No. 32

The purpose of this measure is to urge the Department of Education to develop and implement an affirmative action program designed to recruit and employ qualified blind professionals to serve as orientation and mobility instructors and in other positions as teachers of visually impaired students.

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. 32 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1557 Finance on H.R. No. 35

The purpose of this measure is to urge United States President Joseph R. Biden, Jr., and the Asia-Pacific Economic Cooperation to hold the 2023 Asia-Pacific Economic Cooperation Summit in Honolulu, 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. 35 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1558 Finance on H.C.R. No. 44

The purpose of this measure is to urge United States President Joseph R. Biden, Jr., and the Asia-Pacific Economic Cooperation to hold the 2023 Asia-Pacific Economic Cooperation Summit in Honolulu, 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. 44 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1559 Finance on H.R. No. 38

The purpose of this measure is to encourage the City and County of Honolulu to plan for the necessary improvements to, and revitalization of, Hans L'Orange Park in Waipahu.

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. 38, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1560 Finance on H.C.R. No. 47

The purpose of this measure is to encourage the City and County of Honolulu to plan for the necessary improvements to, and revitalization of, Hans L'Orange Park in Waipahu.

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. 47, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1561 Finance on H.R. No. 48

The purpose of this measure is to recognize and support the ongoing collaborative efforts of state agencies and private organizations to implement a statewide strategy to eliminate viral hepatitis types A, B, and C in 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. 48, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1562 Finance on H.C.R. No. 59

The purpose of this measure is to recognize and support the ongoing collaborative efforts of state agencies and private organizations to implement a statewide strategy to eliminate viral hepatitis types A, B, and C in 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. 59, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1563 Finance on H.R. No. 56

The purpose of this measure is to request the Department of Education to create a landscape management plan with goals to increase tree canopies on public school grounds, document existing inventory and talent, and identify additional resources required to implement and sustain the plan.

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. 56 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1564 Finance on H.C.R. No. 68

The purpose of this measure is to request the Department of Education to create a landscape management plan with goals to increase tree canopies on public school grounds, document existing inventory and talent, and identify additional resources required to implement and sustain the plan.

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. 68 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1565 Finance on H.R. No. 64

The purpose of this measure is to request the Department of Land and Natural Resources to convene a working group to assess the status of Act 14, Session Laws of Hawaii 1995.

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. 64 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1566 Finance on H.C.R. No. 76

The purpose of this measure is to request the Department of Land and Natural Resources to convene a working group to assess the status of Act 14, Session Laws of Hawaii 1995.

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. 76 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1567 Finance on H.R. No. 117

The purpose of this measure is to request the Department of Business, Economic Development, and Tourism to compile a short list of Fortune 500 companies that could potentially relocate to 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. 117, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, 1 (Perruso). Excused, 2 (Yamashita, McDermott).

SCRep. 1568 Finance on H.C.R. No. 137

The purpose of this measure is to request the Department of Business, Economic Development, and Tourism to compile a short list of Fortune 500 companies that could potentially relocate to 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. 137, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, 1 (Perruso). Excused, 2 (Yamashita, McDermott).

SCRep. 1569 Finance on H.R. No. 120

The purpose of this measure is to request the Legislative Reference Bureau to conduct a study of best practices regarding the performance of "incidental and supplemental" contracting work.

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. 120, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1570 Finance on H.C.R. No. 141

The purpose of this measure is to request the Legislative Reference Bureau to conduct a study of best practices regarding the performance of "incidental and supplemental" contracting work.

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. 141, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1571 Finance on H.R. No. 135

The purpose of this measure is to urge the Department of Land and Natural Resources to work with the International Dialogue on Underwater Munitions' International Scientific and Technology Advisory Board on Underwater Munitions to seek and secure federal funding for the non-destructive disposal of thousands of tons of underwater munitions dumped, lost, or abandoned in Hawaiian waters.

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. 135 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1572 Finance on H.C.R. No. 159

The purpose of this measure is to urge the Department of Land and Natural Resources to work with the International Dialogue on Underwater Munitions' International Scientific and Technology Advisory Board on Underwater Munitions to seek and secure federal funding for the non-destructive disposal of thousands of tons of underwater munitions dumped, lost, or abandoned in Hawaiian waters.

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. 159 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1573 Finance on H.R. No. 138

The purpose of this measure is to request the Department of Human Services; Department of Health, via the Behavioral Risk Factor Surveillance System; and Department of Education; via the Youth Risk Behavior Surveillance System, to collect information on the sex, sexual orientation, and gender identity and gender expression of respondents, including respondents who are under the supervision of the courts and the Hawaii Youth Correctional Facility.

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. 138, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1574 Finance on H.C.R. No. 162

The purpose of this measure is to request the Department of Human Services; Department of Health, via the Behavioral Risk Factor Surveillance System; and Department of Education; via the Youth Risk Behavior Surveillance System, to collect information on the sex, sexual orientation, and gender identity and gender expression of respondents, including respondents who are under the supervision of the courts and the Hawaii Youth Correctional Facility.

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. 162, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1575 Finance on H.R. No. 143

The purpose of this measure is to create a working group within the Department of Labor and Industrial Relations to study and make recommendations to improve immigrant access to government resources.

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. 143 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1576 Finance on H.C.R. No. 169

The purpose of this measure is to create a working group within the Department of Labor and Industrial Relations to study and make recommendations to improve immigrant access to government resources.

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. 169 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1577 Finance on H.R. No. 147

The purpose of this measure is to request the Department of Education to provide free menstrual products to students on all Hawaii public school campuses.

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. 147 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1578 Finance on H.C.R. No. 178

The purpose of this measure is to request the Department of Education to provide free menstrual products to students on all Hawaii public school campuses.

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. 178 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1579 Finance on H.R. No. 149

The purpose of this measure is to urge the Department of Transportation, Mayor of the City and County of Honolulu, and Honolulu City Council to reroute Farrington Highway in accordance with the 1998 Makaha Beach Park Master Plan.

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. 149 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1580 Finance on H.C.R. No. 180

The purpose of this measure is to urge the Department of Transportation, Mayor of the City and County of Honolulu, and Honolulu City Council to reroute Farrington Highway in accordance with the 1998 Makaha Beach Park Master Plan.

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 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1581 Finance on H.C.R. No. 147

The purpose of this measure is to request that a working group be convened to make recommendations on flood mitigation at the intersection of East Manoa Road and Oahu Avenue.

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. 147 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1582 Finance on H.C.R. No. 171

The purpose of this measure is to urge the Department of Public Safety to recognize the value of culture-based rehabilitation activities in the State's correctional system.

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. 171, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Yamashita, McDermott).

SCRep. 1583 Consumer Protection & Commerce on H.C.R. No. 70

The purpose of this measure is to authorize the Board of Land and Natural Resources to lease a portion of state submerged lands at Kaneohe Bay, Kaneohe, Oahu, at public auction for recreational boat pier purposes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that Kaneohe Yacht Club is a domestic nonprofit 501(c)(7) corporation under the Internal Revenue Code and was originally registered in 1938 with the purpose of yachting, boating, and other recreational activities. Your Committee further finds that Kaneohe Yacht Club has a revocable permit for the state submerged lands, but a long-term disposition would be preferable. Under existing state law, Kaneohe Yacht Club is not eligible for a direct lease and the more appropriate alternative would be a sale of the lease by public auction. This measure will authorize the sale of the lease by public auction for state submerged lands at Kaneohe Bay for recreational boat pier purposes.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 70 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Onishi).

SCRep. 1584 Consumer Protection & Commerce on H.C.R. No. 89

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Wailea, Maui, for beach access stairway purposes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that an existing beach access stairway connecting the Wailea Coastal Walk to the middle part of Ulua Beach in Wailea, Maui, which spans twenty-two square feet, encroaches onto state submerged lands. Your Committee further finds that the Department of Land and Natural Resources approved a twenty-five year non-exclusive easement to resolve the encroachment. This measure authorizes the granting of a term, non-exclusive easement, as required by state law, for the portion of identified state submerged lands in Wailea that have been encroached upon by the existing beach access stairway.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 89, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Onishi).

SCRep. 1585 Consumer Protection & Commerce on H.C.R. No. 103

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a perpetual, non-exclusive easement covering a portion of state submerged lands at Maunaloa, Oahu, for the construction and maintenance of a rock rubble mound revetment and groin.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the Hawaii Kai Marina Community Association is responsible for the maintenance of the entrance channel between the privately-owned Hawaii Kai Marina and Maunaloa Bay. Your Committee further finds that the existing sandbag groin is deteriorating and a permanent structure is necessary to slow the rate of sediment deposition in the entrance channel of the Hawaii Kai Marina. This measure authorizes the granting of a perpetual, non-exclusive easement, as required by state law, for the construction and maintenance of a rock rubble mound revetment and groin.

Your Committee has amended this measure by:

- (1) Making technical amendments to its title to read, "AUTHORIZING THE ISSUANCE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT COVERING PORTIONS OF STATE SUBMERGED LANDS AT MAUNALOA, OAHU, HAWAII, FOR THE CONSTRUCTION AND MAINTENANCE OF A ROCK GROIN TO SLOW THE RATE OF SEDIMENT DEPOSITION INTO THE ENTRANCE CHANNEL OF THE HAWAII KAI MARINA."; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 103, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 103, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Onishi).

SCRep. 1586 Consumer Protection & Commerce on H.C.R. No. 166

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Kapaa, Kawaihau, Kauai, for the construction of a sandbag groin and for use, repair, and maintenance of the improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Oceanit, and two individuals.

Your Committee finds that the removal of a concrete groin has resulted in severe beach erosion near the identified property at Kapaa, Kawaihau, Kauai. A temporary solution was devised to install a temporary emergency erosion control structure. However, until a long-term solution is devised, the Board of Land and Natural Resources has approved the development of a temporary sandbag groin to help slow the erosion. This measure authorizes the granting of a term, non-exclusive easement, as required by state law, for the construction of a sandbag groin and for the use, repair, and maintenance of the improvements constructed thereon.

Your Committee has amended this measure by:

- (1) Correcting references to the Tax Map Key designation of the property at issue to (4) 4-3-009:seaward of 041;
- (2) Adding language detailing further action taken by the Board of Land and Natural Resources on March 25, 2021;
- (3) Making technical amendments to its title to read, "AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KAPAA, KAWAIHAU, KAUAI, FOR CONSTRUCTION OF A SANDBAG GROIN AND FOR USE, REPAIR, AND MAINTENANCE OF THE IMPROVEMENTS CONSTRUCTED THEREON."; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 166, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 166, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Onishi).

SCRep. 1587 Consumer Protection & Commerce on H.R. No. 20

The purpose of this measure is to urge the Department of Health's Environmental Management Division to ensure that destinations that receive the State's recyclable waste for out-of-state processing abide by the environmental standards as outlined by the Basel Convention.

Your Committee received testimony in support of this measure from the American Chemistry Council and Hawaii Food Industry Association.

Your Committee finds that much of the State's recyclable waste is shipped out of the State for end-of-life processing. Your Committee further finds that upon arrival at its final destination, much of this waste is often handled in a manner that causes harm to human health and the local environment. This measure

will help ensure that the State's recyclable waste is sent to locations where it can be responsibly processed for reuse.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 20 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Onishi).

SCRep. 1588 Consumer Protection & Commerce on H.C.R. No. 27

The purpose of this measure is to urge the Department of Health's Environmental Management Division to ensure that destinations that receive the State's recyclable waste for out-of-state processing abide by the environmental standards as outlined by the Basel Convention.

Your Committee received testimony in support of this measure from the Department of Health, American Chemistry Council, and Hawaii Food Industry Association.

Your Committee finds that much of the State's recyclable waste is shipped out of the State for end-of-life processing. Your Committee further finds that upon arrival at its final destination, much of this waste is often handled in a manner that causes harm to human health and the local environment. This measure will help ensure that the State's recyclable waste is sent to locations where it can be responsibly processed for reuse.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce 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 the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Onishi).

SCRep. 1589 Consumer Protection & Commerce on H.C.R. No. 127

The purpose of this measure is to request that the Hawaii Sister-State Committee evaluate and develop recommendations for the initiation of a sister-state relationship between the State of Hawaii and the Prefecture of Yamaguchi, Japan, and forward the Committee's recommendations to the Legislature for further action.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, & Tourism and one individual.

Your Committee finds that Yamaguchi Prefecture and the State have a strong relationship dating back to the arrival of the first Japanese immigrants in Hawaii. Your Committee further finds that the Hawaii Sister-State Committee recently unanimously recommended that a sister-state relationship be established between Yamaguchi Prefecture and the State of Hawaii. This measure will begin the formal process of establishing such a relationship.

Your Committee has amended this measure by:

- (1) Inserting language specifying that on March 15, 2021, the Hawaii Sister-State committee unanimously recommended that a sister-state relationship be established between Yamaguchi Prefecture and the State; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 127, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 127, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Onishi).

SCRep. 1590 Consumer Protection & Commerce on H.C.R. No. 110

The purpose of this measure is to request that the Auditor update its Report No. 12-09, which assesses the social and financial effects of mandatory health insurance coverage for fertility preservation procedures for persons of reproductive age who have been diagnosed with cancer and who will undergo treatment likely to cause infertility.

Your Committee received testimony in support of this measure from the Hawaii Society of Clinical Oncology and Association for Clinical Oncology. Your Committee received comments on this measure from the Office of the Auditor and Hawaii Medical Service Association.

Your Committee finds that certain cancers and cancer treatment procedures may affect a person's fertility by damaging the person's reproductive organs. Although fertility may be preserved through preservation procedures, the high cost of these procedures and the narrow window to obtain services means these procedures are unattainable for many people. Your Committee further finds that in 2012, the Legislature requested the Auditor to conduct a study to assess the social and financial impacts of mandating insurance coverage for fertility preservation procedures for persons of reproductive age who have been diagnosed with cancer and will be undergoing treatment that might adversely affect their fertility. However, because of insufficient data at the time, the Auditor was unable to assess the social and financial impacts of the proposed mandated coverage.

Your Committee notes that since 2012, ten states have enacted fertility preservation coverage, and the experience in those ten other states will allow the Auditor to evaluate additional experiential data and assess actual financial impacts. Your Committee therefore believes that an update to Report No. 12-09 is necessary to properly assess the cost and viability of offering mandatory fertility preservation coverage, as such coverage may increase overall health care insurance costs for the entire pool of insured persons and could be considered a new mandate that would involve cost defrayment by the State.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 110, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Onishi).

SCRep. 1591 Consumer Protection & Commerce on H.R. No. 6

The purpose of this measure is to request that the Legislative Reference Bureau, in consultation with the John A. Burns School of Medicine at the University of Hawaii at Manoa, conduct a study on the cumulative health effects of persistent urban noise in Honolulu.

Your Committee received testimony in support of this measure from A Quieter O'ahu and five individuals.

Your Committee finds that exposure to prolonged or high-volume noise has been shown to cause a range of health problems, including hearing loss, stress,

hypertension, high blood pressure, high cholesterol, speech interference, and sleep disruption. Your Committee further finds that the residents of Honolulu experience frequent and pervasive urban noise as part of an increasingly loud urban landscape. This measure will assess the health effects of such noise in Honolulu.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 6, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Onishi).

SCRep. 1592 Consumer Protection & Commerce on H.C.R. No. 85

The purpose of this measure is to request that the Legislative Reference Bureau conduct a study on the State's authority to allow collective negotiation between physicians and health care insurers in Hawaii to restrain or balance the monopsonistic market power of health care insurers over independent physicians.

Your Committee received testimony in support of this measure from the Hawaii Medical Association and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Medical Service Association. Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that the existing physician shortage in Hawaii has been exacerbated by the COVID-19 pandemic, with shortages of twenty percent on Oahu, fifty-three percent in Hawaii County, forty-two percent in Maui County, and thirty-three percent on Kauai reported for 2020. Your Committee further finds that one of the primary barriers in the State's inability to recruit and retain physicians is the relatively low level of physician compensation in the State, which is not competitive nationally and stems from the State's highly concentrated health insurance market.

Your Committee notes that the Legislative Reference Bureau testified that it has no specific expertise regarding antitrust law, the federal Employee Retirement Income Security Act of 1974 (ERISA), Hawaii's Prepaid Health Care Act (PHCA), or how enacting state action immunity legislation could impact the State's exemption under ERISA for the PHCA. As such, your Committee believes the study should be narrowed to provide factual information regarding any relevant actions taken in other states, including Alaska, and the status of the immunity doctrine under *Parker v. Brown*, 317 U.S. 341 (1943).

Your Committee has amended this measure by:

- (1) Narrowing the requested study to include only the examination of the *Parker* immunity doctrine and its current legal status and the extent of any statutory or policy implementation by other states relating to collective negotiation by physicians;
- (2) Amending its title to read, "REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY EXAMINING THE *PARKER* IMMUNITY DOCTRINE AND ITS CURRENT LEGAL STATUS AND THE EXTENT OF ANY STATUTORY OR POLICY IMPLEMENTATION BY OTHER STATES RELATING TO COLLECTIVE NEGOTIATION BY PHYSICIANS.";
- (3) Clarifying that the Legislative Reference Bureau needs to only submit its findings, not any recommendations or proposed legislation, to the Legislature; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 85, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 85, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Onishi).

SCRep. 1593 Consumer Protection & Commerce on H.R. No. 67

The purpose of this measure is to request that the United States Food and Drug Administration promote transparency and enforcement by immediately publishing Premarket Tobacco Product Applications.

Your Committee received testimony in support of this measure from the Coalition for a Tobacco-Free Hawai'i and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that electronic smoking devices produce an aerosol by heating a liquid that usually contains nicotine, flavorings, and other chemicals that help make the aerosol. The aerosol is inhaled into the user's lungs and, when exhaled by the user, may be inhaled by bystanders. Your Committee further finds that the federal Centers for Disease Control and Prevention have stated that electronic smoking devices are not safe for youth, young adults, and pregnant adults. However, the use of electronic smoking devices has been increasing exponentially among youth in Hawaii. While the use of electronic smoking devices by youth have risen nationally, use in Hawaii by youth is even higher.

Your Committee further finds that the Food and Drug Administration required all sellers and manufacturers of new tobacco products, including e-cigarettes and electronic nicotine delivery systems, to submit a Premarket Tobacco Product Application by September 9, 2020. However, your Committee finds that, to date, only three separate entities have successfully received marketing orders since 2015, leaving a gap between current federally approved e-cigarette sellers and non-compliant sellers or non-applicants.

Your Committee has amended this measure by:

- (1) Deleting the request for the United States Food and Drug Administration to publish the Premarket Tobacco Product Applications;
- (2) Requesting that the Premarket Tobacco Product Application applicant information be provided to the Department of the Attorney General;
- (3) Removing the request for the Department of Commerce and Consumer Affairs to use applicant data to identify businesses not in compliance with federal requirements;
- (4) Urging the Department of the Attorney General to identify Hawaii sellers who do not have a pending or approved Premarket Tobacco Product Application in compliance with the United States Food and Drug Administration requirements and transmit such information to the United States Food and Drug Administration;
- (5) Requesting that the Department of the Attorney General submit a comprehensive report of actions taken pursuant to this measure to the Legislature no later than sixty days prior to the Regular Session of 2022;
- (6) Amending the list of individuals who will receive a certified copy of this measure;

- (7) Amending the title to read, "REQUESTING THE UNITED STATES FOOD AND DRUG ADMINISTRATION TO PROMOTE TRANSPARENCY AND ENFORCEMENT BY PROVIDING INDIVIDUAL PREMARKET TOBACCO PRODUCT APPLICATION APPLICANT INFORMATION OF HAWAII SELLERS TO THE DEPARTMENT OF THE ATTORNEY GENERAL FOR LAW ENFORCEMENT PURPOSES."; and
- (8) 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 Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 67, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 67, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Onishi).

SCRep. 1594 Consumer Protection & Commerce on H.C.R. No. 80

The purpose of this measure is to request that the United States Food and Drug Administration promote transparency and enforcement by immediately publishing Premarket Tobacco Product Applications.

Your Committee received testimony in support of this measure from the Coalition for a Tobacco-Free Hawai'i and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Department of Health.

Your Committee finds that electronic smoking devices produce an aerosol by heating a liquid that usually contains nicotine, flavorings, and other chemicals that help make the aerosol. The aerosol is inhaled into the user's lungs and, when exhaled by the user, may be inhaled by bystanders. Your Committee further finds that the federal Centers for Disease Control and Prevention have stated that electronic smoking devices are not safe for youth, young adults, and pregnant adults. However, the use of electronic smoking devices has been increasing exponentially among youth in Hawaii. While the use of electronic smoking devices by youth have risen nationally, use in Hawaii by youth is even higher.

Your Committee further finds that the Food and Drug Administration required all sellers and manufacturers of new tobacco products, including e-cigarettes and electronic nicotine delivery systems, to submit a Premarket Tobacco Product Application by September 9, 2020. However, your Committee finds that, to date, only three separate entities have successfully received marketing orders since 2015, leaving a gap between current federally approved e-cigarette sellers and non-compliant sellers or non-applicants.

Your Committee has amended this measure by:

- (1) Deleting the request for the United States Food and Drug Administration to publish the Premarket Tobacco Product Applications;
- (2) Requesting that the Premarket Tobacco Product Application applicant information be provided to the Department of the Attorney General;
- (3) Removing the request for the Department of Commerce and Consumer Affairs to use applicant data to identify businesses not in compliance with federal requirements;
- (4) Urging the Department of the Attorney General to identify Hawaii sellers who do not have a pending or approved Premarket Tobacco Product Application in compliance with the United States Food and Drug Administration requirements and transmit such information to the United States Food and Drug Administration;
- (5) Requesting that the Department of the Attorney General submit a comprehensive report of actions taken pursuant to this measure to the Legislature no later than sixty days prior to the Regular Session of 2022;
- (6) Amending the list of individuals who will receive a certified copy of this measure;
- (7) Amending the title to read, "REQUESTING THE UNITED STATES FOOD AND DRUG ADMINISTRATION TO PROMOTE TRANSPARENCY AND ENFORCEMENT BY PROVIDING INDIVIDUAL PREMARKET TOBACCO PRODUCT APPLICATION APPLICANT INFORMATION OF HAWAII SELLERS TO THE DEPARTMENT OF THE ATTORNEY GENERAL FOR LAW ENFORCEMENT PURPOSES."; and
- (8) 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 Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 80, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 80, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Onishi).

SCRep. 1595 Consumer Protection & Commerce on H.R. No. 85

The purpose of this measure is to request the Office of Planning, in collaboration with the Department of Land and Natural Resources, University of Hawaii, Hawaii Emergency Management Agency, Department of Transportation, and the appropriate county planning departments and county emergency management agencies to develop a plan to establish a state geological survey in Hawaii.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Planning, and one individual.

Your Committee finds that Hawaii is the only State in the country without a geological survey and one of only two states never to have received federal funds to perform geological surveys. Your Committee further finds that establishing a state geological survey in Hawaii would make the State eligible to compete for applicable federal funds and provide a broader range of geological information for the public and state decision-makers to use in mitigation and management planning.

Your Committee has amended this measure by clarifying that the Office of Planning has until December 1, 2022, rather than December 1, 2021, to submit information to the Legislative Reference Bureau as needed for the preparation of any proposed legislation.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 85, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 85, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Onishi).

SCRep. 1596 Consumer Protection & Commerce on H.C.R. No. 102

The purpose of this measure is to request the Office of Planning, in collaboration with the Department of Land and Natural Resources, University of Hawaii, Hawaii Emergency Management Agency, Department of Transportation, and the appropriate county planning departments and county emergency management

agencies to develop a plan to establish a state geological survey in Hawaii.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Planning, and one individual. Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that Hawaii is the only State in the country without a geological survey and one of only two states never to have received federal funds to perform geological surveys. Your Committee further finds that establishing a state geological survey in Hawaii would make the State eligible to compete for applicable federal funds and provide a broader range of geological information for the public and state decision-makers to use in mitigation and management planning.

Your Committee has amended this measure by clarifying that the Office of Planning has until December 1, 2022, rather than December 1, 2021, to submit information to the Legislative Reference Bureau as needed for the preparation of any proposed legislation.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 102, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 102, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Onishi).

SCRep. 1597 Consumer Protection & Commerce on H.R. No. 68

The purpose of this measure is to urge the United States Congress, Federal Aviation Administration, and Hawaii Department of Transportation to take every action necessary to address rapidly increasing safety risks and community disruption resulting from insufficient regulation of rapidly increasing operations of tour helicopters and small aircraft in the State.

Your Committee received testimony in support of this measure from the O'ahu Tour Helicopter Safety and Noise Inter-Action Group, Pearl City Neighborhood Board No. 21, and Hawaii Island Coalition Malama Pono.

Your Committee finds that helicopter tours and small commercial aircraft operations have grown rapidly in the State. Your Committee further finds that these operations have been involved in several notable accidents and incidents that have resulted in loss of life; risks to passengers, residents, and visitors; and damage to property. This measure urges federal authorities, who have maintained sole jurisdiction over tour flight operations, to address safety risks and community disruptions posed by helicopter tours and small commercial aircraft operations.

Your Committee has amended this measure by:

- (1) Requesting that certified copies of this measure be transmitted to the United States Secretary of Transportation and Governor; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 68, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 68, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Onishi).

SCRep. 1598 Consumer Protection & Commerce on H.C.R. No. 81

The purpose of this measure is to urge the United States Congress, Federal Aviation Administration, and Hawaii Department of Transportation to take every action necessary to address rapidly increasing safety risks and community disruption resulting from insufficient regulation of rapidly increasing operations of tour helicopters and small aircraft in the State.

Your Committee received testimony in support of this measure from the Department of Transportation, O'ahu Tour Helicopter Safety and Noise Inter-Action Group, Pearl City Neighborhood Board No. 21, Hawaii Island Coalition Malama Pono, and two individuals.

Your Committee finds that helicopter tours and small commercial aircraft operations have grown rapidly in the State. Your Committee further finds that these operations have been involved in several notable accidents and incidents that have resulted in loss of life; risks to passengers, residents, and visitors; and damage to property. This measure urges federal authorities, who have maintained sole jurisdiction over tour flight operations, to address safety risks and community disruptions posed by helicopter tours and small commercial aircraft operations.

Your Committee has amended this measure by:

- (1) Requesting that certified copies of this measure be transmitted to the United States Secretary of Transportation and Governor; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 81, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 81, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Onishi).

SCRep. 1599 Consumer Protection & Commerce on H.R. No. 137

The purpose of this measure is to support and adopt the goals set forth in the Digital Equity Declaration that was adopted by the Broadband Hui.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development & Tourism; AlohaCare; Hawai'i Primary Care Association; Young Democrats of Hawai'i; Transform Hawai'i Government; Oahu Economic Development Board; and one individual.

Your Committee finds that digital equity is the condition in which all Hawaii residents have the information technology capacity needed to participate fully in society, democracy, and economy, including civics, social, and cultural activities, employment, lifelong learning, and access to essential services. Your Committee further finds that digital inequity has been a pressing community issue for many years, separating persons in rural communities and socioeconomically disadvantaged circumstances from the rest of society through a lack of adequate broadband infrastructure, internet-capable devices, affordable broadband service, and technological knowledge. The Digital Equity Declaration establishes goals to reduce and overcome the digital inequity in the State and this measure acknowledges and supports the Declaration.

Your Committee has amended this measure by:

- (1) Inserting language that explains the Digital Equity Declaration; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 137, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 137, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Onishi).

SCRep. 1600 Consumer Protection & Commerce on H.C.R. No. 161

The purpose of this measure is to support and adopt the goals set forth in the Digital Equity Declaration that was adopted by the Broadband Hui.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, & Tourism; Office of Hawaiian Affairs; AlohaCare; Hawai'i Primary Care Association; Young Democrats of Hawai'i; Transform Hawai'i Government; and one individual. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that digital equity is the condition in which all Hawaii residents have the information technology capacity needed to participate fully in society, democracy, and economy, including civics, social, and cultural activities, employment, lifelong learning, and access to essential services. Your Committee further finds that digital inequity has been a pressing community issue for many years, separating persons in rural communities and socioeconomically disadvantaged circumstances from the rest of society through a lack of adequate broadband infrastructure, internet-capable devices, affordable broadband service, and technological knowledge. The Digital Equity Declaration establishes goals to reduce and overcome the digital inequity in the State and this measure acknowledges and supports the Declaration.

Your Committee has amended this measure by:

- (1) Inserting language that explains the Digital Equity Declaration; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 161, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 161, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Onishi).

SCRep. 1601 Judiciary & Hawaiian Affairs on H.R. No. 12

The purpose of this measure is to request the Hawaii State Commission on the Status of Women to convene a task force to study missing and murdered Native Hawaiian women and girls.

Your committee received testimony in support of this measure from the Office of Hawaiian Affairs, Planned Parenthood Votes Northwest and Hawaii, Hawaii Children's Action Network Speaks!, and two individuals.

Your Committee finds that indigenous women and girls have a greater risk of becoming victims of violence than any other population in the United States and are particularly vulnerable to sex trafficking and other forms of violent crimes. Your Committee further finds that in a 2018 survey of victims of sex trafficking conducted by the Hawaii State Commission on the Status of Women in partnership with Arizona State University, seventy-seven percent of the victims were Native Hawaiian; a subsequent study conducted in 2019 found that sixty-four percent of the victims were Native Hawaiian. Additionally, your Committee finds that from 2017 to 2019, one out of every three child sex trafficking victims reported to the Child Welfare Services child sex trafficking hotline were Native Hawaiian, and ninety-five percent of the victims were girls.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 12, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1602 Judiciary & Hawaiian Affairs on H.C.R. No. 11

The purpose of this measure is to request the Hawaii State Commission on the Status of Women to convene a task force to study missing and murdered Native Hawaiian women and girls.

Your committee received testimony in support of this measure from the Judiciary, Department of Health, Office of Hawaiian Affairs, Hawaii State Commission on the Status of Women, Planned Parenthood Votes Northwest and Hawaii, Hawaii Children's Action Network Speaks!, and two individuals.

Your Committee finds that indigenous women and girls have a greater risk of becoming victims of violence than any other population in the United States and are particularly vulnerable to sex trafficking and other forms of violent crimes. Your Committee further finds that in a 2018 survey of victims of sex trafficking conducted by the Hawaii State Commission on the Status of Women in partnership with Arizona State University, seventy-seven percent of the victims were Native Hawaiian; a subsequent study conducted in 2019 found that sixty-four percent of the victims were Native Hawaiian. Additionally, your Committee finds that from 2017 to 2019, one out of every three child sex trafficking victims reported to the Child Welfare Services child sex trafficking hotline were Native Hawaiian, and ninety-five percent of the victims were girls.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 11, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1603 Judiciary & Hawaiian Affairs on H.R. No. 28

The purpose of this measure is to urge the United States military to clean up munitions and explosives of concern in Hawaii under the Military Munitions Response Program.

Your committee received testimony in support of this measure from the Office of Hawaiian Affairs, Chamber of Commerce Hawaii, and numerous

individuals.

Your Committee finds that Congress established the Military Munitions Response Program in 2001 to address munitions-related concerns, including explosive safety, environmental and health hazards from releases of unexploded ordnance, discarded military munitions, and munitions constituents found at locations other than operational ranges on active and Base Realignment and Closure installations and formerly used defense sites properties. Your Committee further finds that certain areas of Hawaii were used for military training exercises that resulted in large quantities of munitions and explosives being deposited on the ground. Your Committee also finds that remediation efforts should focus on restoring the land rather than rendering it inaccessible whenever possible.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 28 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1604 Judiciary & Hawaiian Affairs on H.C.R. No. 35

The purpose of this measure is to urge the United States military to clean up munitions and explosives of concern in Hawaii under the Military Munitions Response Program.

Your committee received testimony in support of this measure from the Office of Hawaiian Affairs, Chamber of Commerce Hawaii, and three individuals.

Your Committee finds that Congress established the Military Munitions Response Program in 2001 to address munitions-related concerns, including explosive safety, environmental and health hazards from releases of unexploded ordnance, discarded military munitions, and munitions constituents found at locations other than operational ranges on active and Base Realignment and Closure installations and formerly used defense sites properties. Your Committee further finds that certain areas of Hawaii were used for military training exercises that resulted in large quantities of munitions and explosives being deposited on the ground. Your Committee also finds that remediation efforts should focus on restoring the land rather than rendering it inaccessible whenever possible.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 35 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1605 Judiciary & Hawaiian Affairs on H.C.R. No. 66

The purpose of this measure is to review and approve a specific land exchange between the State of Hawaii and trustees of the Parker Land Trust.

Your committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

Your Committee finds that this land exchange is mutually beneficial to the State and Parker Ranch, Inc. Your Committee further finds that section 171-50(c), Hawaii Revised Statutes, requires that land exchanges of public land for private land be subject to approval by the Legislature by a majority vote of both houses in any regular or special session following the date of the Board of Land and Natural Resources' approval in principle of the exchange.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 66 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1606 Judiciary & Hawaiian Affairs on H.R. No. 58

The purpose of this measure is to request the Department of Land and Natural Resources to petition the United States Secretary of the Interior, through the United States Fish and Wildlife Service, to protect the Oahu pueo, also known as the Hawaiian short-eared owl (*Asio flammeus sandwichensis*) as a threatened or endangered species.

Your Committee received testimony in support of this measure from the University of Hawaii and three individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the pueo is a species endemic to Hawaii, a prominent figure in Hawaiian culture, and an 'aumakua of many Hawaiian families.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 58, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1607 Judiciary & Hawaiian Affairs on H.C.R. No. 69

The purpose of this measure is to request the Department of Land and Natural Resources to petition the United States Secretary of the Interior, through the United States Fish and Wildlife Service, to protect the Oahu pueo, also known as the Hawaiian short-eared owl (*Asio flammeus sandwichensis*) as a threatened or endangered species.

Your Committee received testimony in support of this measure from the University of Hawaii and four individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the pueo is a species endemic to Hawaii, a prominent figure in Hawaiian culture, and an 'aumakua of many Hawaiian families.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 69, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1608 Judiciary & Hawaiian Affairs on H.C.R. No. 96

The purpose of this measure is to urge the Department of Facility Maintenance of the City and County of Honolulu, in conjunction with the United States

Army Corps of Engineers and Department of Environmental Services of the City and County of Honolulu, to:

- (1) Immediately clean the drainage canals and streams in Kaneohe and Kailua; and
- (2) Develop recommended cleaning schedules for drainage canals and streams and regularly clean the drainage canals and streams in Kaneohe and Kailua based on this schedule.

Your Committee received testimony in support of this measure from five individuals.

Your Committee finds that between 1915 and 2019, floods have caused more than \$225,000,000 in damage on Oahu, and that a blocked drainage canal increases the risk of frequent overbank flooding. Your Committee further finds that immediate cleaning and draining of certain canals and streams is needed in the short term due to recent heavy rain in Windward Oahu and that developing a regular schedule for maintenance of drainage canals and streams can be a tool to prevent costly damage to surrounding homes and protecting lives.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 96 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1609 Judiciary & Hawaiian Affairs on H.R. No. 111

The purpose of this measure is to convene a working group to discuss future development plans in Kakaako Makai, including the identification of public lands of comparable value suitable to the Office of Hawaiian Affairs for a possible land exchange for some or all of its nine parcels in Kakaako Makai.

Your Committee received testimony in support of this measure from the Hawaii Community Development Authority, Free Access Coalition, O'ahu Island Parks Conservancy, Friends of Kewalos, and numerous individuals. Your Committee received testimony in opposition of this measure from the Office of Hawaiian Affairs, Pe'a Records & Entertainment, Kupuna for the Mo'opuna, and numerous individuals.

Your Committee finds that "Kakaako Makai" refers to the area within the Kakaako Development District bordered by the east side of Kewalo Basin at the Ewa end of Ala Moana Regional Park to Forrest Avenue, and from Ala Moana Boulevard to the ocean. Your Committee further finds that Act 15, Session Laws of Hawaii 2012, resulted in the conveyance of the fee simple interest of land comprising Kakaako Makai with existing improvements to the Office of Hawaiian Affairs and provided that the property shall remain under the jurisdiction and authority of the Hawaii Community Development Authority, with respect to zoning, land use conditions, and all other matters over which the Hawaii Community Development Authority has jurisdiction and authority to act. Your Committee also finds that the Office of Hawaiian Affairs seeks statutory authority to develop residential high-rise buildings on Kakaako Makai land for the benefit of Native Hawaiians.

Your Committee also notes a Member's concern about the potential for 400 ft high development in the Kakaako Makai area, and whether this was a previously-agreed-to allowance for this land.

Your Committee has amended this measure by:

- (1) Changing Chief Executive Officer to Chair of the Office of Hawaiian Affairs;
- (2) Adding an additional appointed member from the Hawaii State Senate to the working group;
- (3) Adding an additional appointed member from the Hawaii State House of Representatives to the working group;
- (4) Removing a representative of the Kakaako Makai Community Planning Advisory Council from the working group; and,
- (5) Inserting language to have members of the working group select a chair internally.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 111, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 111, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, 1 (Ward). Excused, 2 (LoPresti, Nakamura).

SCRep. 1610 Judiciary & Hawaiian Affairs on H.C.R. No. 129

The purpose of this measure is to convene a working group to discuss future development plans in Kakaako Makai, including the identification of public lands of comparable value suitable to the Office of Hawaiian Affairs for a possible land exchange for some or all of its nine parcels in Kakaako Makai.

Your Committee received testimony in support of this measure from the Hawaii Community Development Authority, Free Access Coalition, O'ahu Island Parks Conservancy, Friends of Kewalos, and numerous individuals. Your Committee received testimony in opposition of this measure from the Office of Hawaiian Affairs, Pe'a Records & Entertainment, Kupuna for the Mo'opuna, and numerous individuals.

Your Committee finds that "Kakaako Makai" refers to the area within the Kakaako Development District bordered by the east side of Kewalo Basin at the Ewa end of Ala Moana Regional Park to Forrest Avenue, and from Ala Moana Boulevard to the ocean. Your Committee further finds that Act 15, Session Laws of Hawaii 2012, resulted in the conveyance of the fee simple interest of land comprising Kakaako Makai with existing improvements to the Office of Hawaiian Affairs and provided that the property shall remain under the jurisdiction and authority of the Hawaii Community Development Authority, with respect to zoning, land use conditions, and all other matters over which the Hawaii Community Development Authority has jurisdiction and authority to act. Your Committee also finds that the Office of Hawaiian Affairs seeks statutory authority to develop residential high-rise buildings on Kakaako Makai land for the benefit of Native Hawaiians.

Your Committee also notes a Member's concern about the potential for 400 ft high development in the Kakaako Makai area, and whether this was a previously-agreed-to allowance for this land.

Your Committee has amended this measure by:

- (1) Changing Chief Executive Officer to Chair of the Office of Hawaiian Affairs;
- (2) Adding an additional appointed member from the Hawaii State Senate to the working group;
- (3) Adding an additional appointed member from the Hawaii State House of Representatives to the working group;
- (4) Removing a representative of the Kakaako Makai Community Planning Advisory Council from the working group; and,
- (5) Inserting language to have members of the working group select a chair internally.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 129, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 129, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, 1 (Ward). Excused, 2 (LoPresti, Nakamura).

SCRep. 1611 Judiciary & Hawaiian Affairs on H.R. No. 80

The purpose of this measure is to urge Hawaii helicopter companies to avoid conducting non-emergency flights over residential neighborhoods.

Your Committee received testimony in support of this measure from O'ahu Tour Helicopter Safety and Noise Inter-Action Group, HICoP, and two individuals.

Your Committee finds that commercial helicopter flights are a popular activity in Hawaii. However, while these flights are popular amongst visitors of the State, it has become a nuisance and danger to many residents as these commercial helicopter flights fly over residential neighborhoods. Notably, a recent commercial helicopter crash in a Kailua residential neighborhood narrowly avoided homes and cars on a busy street. The increase in commercial helicopter flights has also increased safety risks and noise pollution for many residents. Although commercial helicopter flights have contributed to economic growth in the State, there are safety concerns when those flights take place over residential areas. Your Committee believes that a compromise would be to prohibit helicopter companies from flying over residential areas except for in emergency situations, thereby protecting and improving the quality of life for many residents.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 80 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1612 Judiciary & Hawaiian Affairs on H.C.R. No. 95

The purpose of this measure is to urge Hawaii helicopter companies to avoid conducting non-emergency flights over residential neighborhoods.

Your Committee received testimony in support of this measure from O'ahu Tour Helicopter Safety and Noise Inter-Action Group, HICoP, the Kawaihapai Ohana, and three individuals.

Your Committee finds that commercial helicopter flights are a popular activity in Hawaii. However, while these flights are popular amongst visitors of the State, it has become a nuisance and danger to many residents as these commercial helicopter flights fly over residential neighborhoods. Notably, a recent commercial helicopter crash in a Kailua residential neighborhood narrowly avoided homes and cars on a busy street. The increase in commercial helicopter flights has also increased safety risks and noise pollution for many residents. Although commercial helicopter flights have contributed to economic growth in the State, there are safety concerns when those flights take place over residential areas. Your Committee believes that a compromise would be to prohibit helicopter companies from flying over residential areas except for in emergency situations, thereby protecting and improving the quality of life for many residents.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 95 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1613 Judiciary & Hawaiian Affairs on H.R. No. 30

The purpose of this measure is to request the Department of Transportation and Department of Public Works of the County of Kauai to conduct a study to identify and recommend methods to alleviate traffic congestion at certain intersections along the Kaumualii Highway.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee has amended this measure by:

- (1) Changing the joint report submission year from 2022 to 2023.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 30, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 30, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1614 Judiciary & Hawaiian Affairs on H.C.R. No. 37

The purpose of this measure is to request the Department of Transportation and Department of Public Works of the County of Kauai to conduct a study to identify and recommend methods to alleviate traffic congestion at certain intersections along the Kaumualii Highway.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee has amended this measure by:

- (1) Changing the joint report submission year from 2022 to 2023.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 37, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 37, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1615 Judiciary & Hawaiian Affairs on H.R. No. 9

The purpose of this measure is to urge the Board of Education and Department of Education to elevate Hawaiian language and cultural education in public high schools by incorporating more diverse Hawaiian language and cultural classes as core requirements throughout secondary education.

Your committee received testimony in support of this measure from Hawaii Youth Services Network and two individuals.

Your committee finds that most curriculum materials and on-line resources for state Hawaiian medium/immersion schools are produced by the Hawaiian language college, which was established by the 1997 legislature. The Hawaiian language college has experimented with shared human and other resources to serve students from preschool through college in an integrated fashion. Your committee believes it is crucial to determine how the Board of Education might better work with the Hawaiian language college to serve as a focal point in the revitalization of the Hawaiian language. Your committee further finds that identifying opportunities for enhanced integration of Hawaiian education activities between the Board of Education and the Hawaiian language college is crucial to improve access to Hawaiian education for students in the State.

Your Committee has amended this measure by:

- (1) Adding language describing the establishment and accomplishments of the Hawaiian language college;
- (2) Requiring the Board of Education and the Hawaiian language college to identify existing resources for Hawaiian language teacher training; and
- (3) Requiring a report to the legislature one week prior to the convening of the Regular Session of 2022.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 9, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 9, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1616 Judiciary & Hawaiian Affairs on H.C.R. No. 8

The purpose of this measure is to urge the Board of Education and Department of Education to elevate Hawaiian language and cultural education in public high schools by incorporating more diverse Hawaiian language and cultural classes as core requirements throughout secondary education.

Your committee received testimony in support of this measure from Hawaii Youth Services Network and six individuals.

Your committee finds that most curriculum materials and on-line resources for state Hawaiian medium/immersion schools are produced by the Hawaiian language college, which was established by the 1997 legislature. The Hawaiian language college has experimented with shared human and other resources to serve students from preschool through college in an integrated fashion. Your committee believes it is crucial to determine how the Board of Education might better work with the Hawaiian language college to serve as a focal point in the revitalization of the Hawaiian language. Your committee further finds that identifying opportunities for enhanced integration of Hawaiian education activities between the Board of Education and the Hawaiian language college is crucial to improve access to Hawaiian education for students in the State.

Your Committee has amended this measure by:

- (1) Adding language describing the establishment and accomplishments of the Hawaiian language college;
- (2) Requiring the Board of Education and the Hawaiian language college to identify existing resources for Hawaiian language teacher training; and
- (3) Requiring a report to the legislature one week prior to the convening of the Regular Session of 2022.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 8, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 8, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1617 Judiciary & Hawaiian Affairs on H.R. No. 112

The purpose of this measure is to request that the Department of Health submit a request to the Drug Enforcement Administration for an exception to federal drug laws for state-authorized use of medical cannabis, and to petition to initiate proceedings for federal rulemaking to clarify that the state-authorized use of medical cannabis does not violate the federal Controlled Substances Act.

Your Committee received testimony in support of this measure from Akamai Cannabis Clinic.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 112, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Ward). Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1618 Judiciary & Hawaiian Affairs on H.C.R. No. 132

The purpose of this measure is to request that the Department of Health submit a request to the Drug Enforcement Administration for an exception to federal drug laws for state-authorized use of medical cannabis, and to petition to initiate proceedings for federal rulemaking to clarify that the state-authorized use of medical cannabis does not violate the federal Controlled Substances Act.

Your Committee received testimony in support of this measure from Akamai Cannabis Clinic, Big Island Grown Dispensaries, and numerous individuals. Your Committee received comments on this measure from the Department of Health.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 132, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Ward). Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1619 Judiciary & Hawaiian Affairs on H.R. No. 115

The purpose of this measure is to recognize Mekia Kealakai's birthday of October 15 as Royal Hawaiian Troubadours Day.

Your Committee received testimony in support of this measure from the Kawaihapai Ohana.

Your Committee finds that Mekia Kealakai was part of the wave of Hawaiian string bands in the early twentieth century, known as the Royal Hawaiian

Troubadour generation, that travelled and performed on the world fairs, chautauquas, and vaudeville circuits and raised international awareness and recognition of Hawaiian culture and music. Your Committee further finds that the style of music performed by the Hawaiian string bands heavily influenced what is now considered quintessentially American music, and the innovation in guitar design pioneered by Mekia Kealakai had long-lasting impacts on music icons from Elvis Presley to Bob Marley. This measure celebrates the contributions to the musical arts of the Hawaiian Troubadour Generation through the recognition of October 15, 2021, as Royal Hawaiian Troubadours Day.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 115 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1620 Judiciary & Hawaiian Affairs on H.C.R. No. 135

The purpose of this measure is to recognize Mekia Kealakai's birthday of October 15 as Royal Hawaiian Troubadours Day.

Your Committee received testimony in support of this measure from the Kawaihapai Ohana.

Your Committee finds that Mekia Kealakai was part of the wave of Hawaiian string bands in the early twentieth century, known as the Royal Hawaiian Troubadour generation, that travelled and performed on the world fairs, chautauquas, and vaudeville circuits and raised international awareness and recognition of Hawaiian culture and music. Your Committee further finds that the style of music performed by the Hawaiian string bands heavily influenced what is now considered quintessentially American music, and the innovation in guitar design pioneered by Mekia Kealakai had long-lasting impacts on music icons from Elvis Presley to Bob Marley. This measure celebrates the contributions to the musical arts of the Hawaiian Troubadour Generation through the recognition of October 15, 2021, as Royal Hawaiian Troubadours Day.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 135 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1621 Judiciary & Hawaiian Affairs on H.R. No. 158

The purpose of this measure is to support and urge the international and domestic repatriation of Native Hawaiian art, cultural items, and iwi kupuna.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, the Kawaihapai Ohana, and two individuals.

Your Committee finds that the black-market trade of historic and cultural items constitutes one of the most persistent illegal trades in the world. Your Committee further finds that Native Hawaiian art, cultural items, iwi kupuna, and other historic artifacts, including the approximately five thousand items determined to be missing from Iolani Palace, have been subject to illegal theft and transfer out of the State. This measure seeks to address the loss of these important historical and cultural items by urging the international and domestic repatriation of these items.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 158, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1622 Judiciary & Hawaiian Affairs on H.C.R. No. 189

The purpose of this measure is to support and urge the international and domestic repatriation of Native Hawaiian art, cultural items, and iwi kupuna.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, the Kawaihapai Ohana, and two individuals.

Your Committee finds that the black-market trade of historic and cultural items constitutes one of the most persistent illegal trades in the world. Your Committee further finds that Native Hawaiian art, cultural items, iwi kupuna, and other historic artifacts, including the approximately five thousand items determined to be missing from Iolani Palace, have been subject to illegal theft and transfer out of the State. This measure seeks to address the loss of these important historical and cultural items by urging the international and domestic repatriation of these items.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 189, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1623 Judiciary & Hawaiian Affairs on H.R. No. 105

The purpose of this measure is to designate the first week of May as Tardive Dyskinesia Awareness Week.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that Tardive Dyskinesia is a serious side effect of antipsychotic medications commonly used to treat schizophrenia and other mental health conditions. Your Committee further finds that over the past three years, thirty-three states and the District of Columbia have declared the first week of May as Tardive Dyskinesia Awareness Week and that Hawaii should follow suit in order to raise awareness of this condition and encourage at-risk individuals to seek regular evaluations to recognize early signs of Tardive Dyskinesia.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 105, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1624 Judiciary & Hawaiian Affairs on H.R. No. 47

The purpose of this measure is to urge the United States Congress and President of the United States to enact the Protecting the Right to Organize Act as expeditiously as possible.

Your Committee received testimony in support of this measure from AFL-CIO; LGBT Caucus of the Democratic Party of Hawaii; Pride at Work Hawaii; International Union of Painters and Allied Trades; District Council 50; ILWU Local 142; International Union of Bricklayers and Allied Crafts, Local 1 of Hawaii; Plumbers and Fitters UA Local 675; IBEW 1260; United Public Workers, AFSCME Local 646; Hawaii Government Employees Association; International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers; Iron Workers Stabilization Fund; and six individuals. Your Committee received testimony in opposition to this measure from Associated Builders and Contractors Hawaii Chapter.

Your Committee finds that unionized workers earn over thirteen percent more than comparable nonunionized workers, receive fairer wages and better benefits, and generally have better working conditions. Your Committee further finds that the Protecting the Right to Organize Act enhances workers' rights by providing greater opportunity to unite and bargain meaningfully for fairer wages and benefits, and thus, has the potential to raise workers' living standards.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 47, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1625 Judiciary & Hawaiian Affairs on H.C.R. No. 58

The purpose of this measure is to urge the United States Congress and President of the United States to enact the Protecting the Right to Organize Act as expeditiously as possible.

Your Committee received testimony in support of this measure from AFL-CIO; Pride at Work Hawaii; IBEW Local Union 1186; International Union of Painters and Allied Trades; District Council 50; ILWU Local 142; International Union of Bricklayers and Allied Crafts, Local 1 of Hawaii; Plumbers and Fitters UA Local 675; IBEW 1260; Rainbow Family 808; LGBT Caucus of the Democratic Party of Hawaii; United Public Workers, AFSCME Local 646; Hawaii Building & Construction Trades Council; Hawaii Government Employees Association; International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers; Iron Workers Stabilization Fund; and eight individuals. Your Committee received testimony in opposition to this measure from Associated Builders and Contractors Hawaii Chapter.

Your Committee finds that unionized workers earn over thirteen percent more than comparable nonunionized workers, receive fairer wages and better benefits, and generally have better working conditions. Your Committee further finds that the Protecting the Right to Organize Act enhances workers' rights by providing greater opportunity to unite and bargain meaningfully for fairer wages and benefits, and thus, has the potential to raise workers' living standards.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 58, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1626 Judiciary & Hawaiian Affairs on H.R. No. 139

The purpose of this measure is to request the Board of Land and Natural Resources to enter into a long-term water lease with the Wai'oli Valley Taro Hui for their existing use of water from Wai'oli Stream via direct negotiation, upon completion of the environmental impact statement process.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Mayor of the County of Kauai, Office of Hawaiian Affairs, Sierra Club of Hawai'i, National Tropical Botanical Garden, Waioli Valley Taro Hui, Waipa Foundation, Hawai'i Land Trust, and numerous individuals.

Your Committee finds that the traditional and customary practice of kalo cultivation in Wai'oli Valley deserves protection. Your Committee further finds that the Board of Land and Natural Resources, in unanimously approving a perpetual easement for the Wai'oli Valley Taro Hui to continue to use and maintain its traditional lo'i kalo irrigation system, demonstrated its support for the Hui's stewardship and traditional and sustainable practices. Your Committee also finds that the Department of Land and Natural Resources is continuing to work with the Hui to complete the water leasing process pursuant to section 171-58, Hawaii Revised Statutes, which requires among other conditions, prior authorization of the Legislature by concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 139, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1627 Judiciary & Hawaiian Affairs on H.C.R. No. 163

The purpose of this measure is to request the Board of Land and Natural Resources to enter into a long-term water lease with the Wai'oli Valley Taro Hui for their existing use of water from Wai'oli Stream via direct negotiation, upon completion of the environmental impact statement process.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Mayor of the County of Kauai, Office of Hawaiian Affairs, Sierra Club of Hawai'i, National Tropical Botanical Garden, Waioli Valley Taro Hui, Waipa Foundation, Hawai'i Land Trust, and numerous individuals.

Your Committee finds that the traditional and customary practice of kalo cultivation in Wai'oli Valley deserves protection. Your Committee further finds that the Board of Land and Natural Resources, in unanimously approving a perpetual easement for the Wai'oli Valley Taro Hui to continue to use and maintain its traditional lo'i kalo irrigation system, demonstrated its support for the Hui's stewardship and traditional and sustainable practices. Your Committee also finds that the Department of Land and Natural Resources is continuing to work with the Hui to complete the water leasing process pursuant to section 171-58, Hawaii Revised Statutes, which requires among other conditions, prior authorization of the Legislature by concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 163, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1628 Judiciary & Hawaiian Affairs on H.R. No. 90

The purpose of this measure is to declare racism as a public health crisis and to take all steps necessary to address racism in promoting racial equity.

Your Committee received testimony in support of this measure from American Heart Association, Office of Hawaiian Affairs, Planned Parenthood Votes

Northwest and Hawaii, Democratic Party of Hawaii Education Caucus, Imua Alliance, Hawaii Public Health Institute, Hawaii Public Health Association, Hawaii Appleseed Center for Law & Economic Justice, and six individuals.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 90 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Ward). Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1629 Judiciary & Hawaiian Affairs on H.C.R. No. 112

The purpose of this measure is to declare racism as a public health crisis and to take all steps necessary to address racism in promoting racial equity.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, American Heart Association, Planned Parenthood Votes Northwest and Hawaii, Office of Hawaiian Affairs, Hawaii Health & Harm Reduction Center, Democratic Party of Hawaii Education Caucus, Imua Alliance, Hawaii Public Health Institute, Community Alliance on Prisons, Hawaii Public Health Association, Hawaii Appleseed Center for Law & Economic Justice, Young Progressives Demanding Action, ACLU of Hawaii, Our Revolution Hawaii, and numerous individuals. Your Committee received comments on this measure from Common Cause Hawaii.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 112 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Ward). Noes, none. Excused, 2 (LoPresti, Nakamura).

SCRep. 1630 Judiciary & Hawaiian Affairs on H.C.R. No. 131

The purpose of this measure is to request the establishment of a Burial Sites Working Group to review and recommend improvements to the Burial Sites Program within the State Historic Preservation Division.

Your Committee received testimony in support of this measure from Office of Hawaiian Affairs, Huliauapa'a, Aha Moku O Maui Inc., Na Kupuna Moku O Keawe, and numerous individuals. Your Committee received comments on this measure from Department of Land and Natural Resources.

Your Committee finds that relations between the State Historic Preservation Division, Department of Land and Natural Resources, Island Burial Councils, and Hawaiian community at large has become strained over the years. This has led to a lack of trust, on all sides, as well as poor communication among these interest groups. This measure could help ease these tensions by allowing the affected parties to come together to determine an appropriate way forward.

Accordingly, your Committee has amended this measure by:

- (1) Changing its title to read, "REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO REVIEW AND RECOMMEND IMPROVEMENTS TO THE OPERATIONS OF THE ISLAND BURIAL COUNCILS WITHIN THE STATE HISTORIC PRESERVATION DIVISION";
- (2) Including information regarding the purposes of the Office of Hawaiian Affairs;
- (3) Requesting the establishment of a working group to review and recommend improvements to the workings of the Island Burial Councils, instead of requesting the establishment of a Burial Sites Working Group to review and recommend improvements to the Burial Sites Program;
- (4) Requesting the Office of Hawaiian Affairs to convene and conduct the facilitation of the working group;
- (5) Amending the requested membership and scope of the working group; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 131, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 131, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (D. Kobayashi, LoPresti, Todd).

SCRep. 1631 Judiciary & Hawaiian Affairs on S.C.R. No. 39

The purpose of this measure is to urge the County of Hawaii to establish a metropolitan planning organization (MPO), if allowable.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that MPOs were established to serve as a forum for collaboration among local communities and government agencies and to direct federal funds toward projects that increase access to opportunity and prosperity through improved multimodal pedestrian, bicycle, and transit options. According to federal regulation, an MPO requires an urban area with a population of more than fifty thousand individuals. As the population of the County of Hawaii in 2016 was 198,691 people, your Committee finds it appropriate that the County should have their own MPO.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 39, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Ichiyama, McKelvey, Tokioka).

SCRep. 1632 Judiciary & Hawaiian Affairs on S.C.R. No. 261

The purpose and intent of this measure is to request the Attorney General to petition the Hawaii Supreme Court seeking relief to prevent action against the Reapportionment Commission for the Commission's failure to meet statutory or constitutional deadlines relating to the 2021 reapportionment plans.

Your Committee received testimony in support of this measure from the Office of Elections.

Your Committee finds that article IV, section 2, of the Hawaii State Constitution requires and provides procedures and a timetable for the convening of the Reapportionment Commission to be tasked with creating a reapportionment plan for the Legislature and the United States congressional districts within the

State. Your Committee further finds that the Reapportionment Commission relies on data from the United States Census Bureau for accurate counts of the United States population on which to base reapportionment plans. Your Committee additionally finds that, because of the coronavirus disease 2019 pandemic, the United States Census Bureau has already indicated that redistricting data will not be available until after the constitutional deadline for the Reapportionment Commission to submit a final plan has passed. The Reapportionment Commission is not to blame for a delay caused by the United States Census Bureau. This measure requests the Attorney General to petition the Hawaii Supreme Court seeking relief to prevent action against the Reapportionment Commission stemming from this unavoidable delay.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 261, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Ichiyama, McKelvey, Tokioka).

SCRep. 1633 Judiciary & Hawaiian Affairs on S.C.R. No. 166

The purpose and intent of this measure is to urge the heads of the departments and agencies that administratively control or supervise a board or commission to provide training for all members of their boards and commissions subject to 84-17, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that reports from the Office of the Auditor have indicated that various state board members and staff are unfamiliar with the applicable laws and statutes that are relevant to the work of the board or commission on which they sit, and sometimes the mission and goals of the board. Your Committee also finds that although some departments train the members of their boards and commissions, this is not a consistent practice throughout the State. This measure would help ensure that board and commission members have appropriate training to effectively fulfill their responsibilities. In this pandemic age, trainings should also be made available online and on demand, where possible, to avoid gatherings and get the relevant information to board members regardless of their locations and schedules.

Your Committee amended this measure by:

- (1) Inserting language to offer trainings online or on demand, where possible, to board and commission members.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs 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 your Committee on Finance in the form attached hereto as S.C.R. No. 166, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Ichiyama, McKelvey, Tokioka).

SCRep. 1634 Judiciary & Hawaiian Affairs on S.C.R. No. 59

The purpose of this measure is to urge the Hawaiian Homes Commission to appropriate one hundred per cent of lease revenues from commercial property uses to homeland lot development.

Your Committee received testimony in support of this measure from the Aloha Aina Party and one individual. Your Committee received comments on this measure from the Department of Hawaiian Homelands.

Your Committee finds that more than two thousand native Hawaiian beneficiaries have died while on the Hawaiian homes waiting list for a homeland lease, and twenty-eight thousand beneficiaries currently remain on the list, half of which are over the age of sixty. Additionally, the Department of Hawaiian Home Lands recently estimated that to house all beneficiaries on the waitlist, cost projections range between \$4,000,000,000 to \$12,000,000,000 for infrastructure alone. For a number of reasons, the Department of Hawaiian Home Lands has not pursued lot development on a trajectory that will extinguish their wait list, reduce the amount of lands for commercial and industrial uses, and aggressively pursue diversification of housing awards. While recognizing the Department of Hawaiian Home Lands' duties of commissioners as trustees, your Committee finds it would serve the primary purpose of the Department of Hawaiian Home Lands to appropriate its lease revenue from commercial property uses to homeland lot development.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 59, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Ichiyama, McKelvey, Tokioka).

SCRep. 1635 Judiciary & Hawaiian Affairs on S.C.R. No. 185

The purpose of this measure is to recognize the centennial celebration of the Hawaiian Homes Commission Act Of 1920, as amended.

Your Committee received testimony in support of this measure from the Department of Hawaiian Homelands and Office of Hawaiian Affairs.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 185, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Ichiyama, McKelvey, Tokioka).

SCRep. 1636 Water & Land on S.C.R. No. 55

The purpose of this measure is to urge the Department of Land and Natural Resources to adopt administrative rules to streamline the process for allowing traditional Hawaiian farming systems on conservation lands.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs.

Your Committee finds that traditional Hawaiian farming systems play a critical role in Hawaii and should be encouraged to promote greater self-sufficiency, crop diversity, and food security.

Your Committee has amended this measure by 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 Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 55, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as S.C.R. No. 55, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 1637 Water & Land on S.C.R. No. 10

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Kaalawai, Honolulu, Oahu, for the existing seawall constructed on those state submerged lands, and the use, repair, and maintenance of the improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that portions of an existing seawall fronting private property located in Kaalawai were built on state submerged lands. Your Committee further finds that the Department of Land and Natural Resources has worked with the property owner to resolve the encroachment by granting a 55-year non-exclusive easement for the seawall, and the grantee has paid the fair market value of the easement. However, the Legislature must grant prior authorization before state submerged lands may be leased. This measure authorizes the granting of a term, non-exclusive easement for the portion of identified state submerged lands in Kaalawai that have been encroached upon by the seawall, and for the use, repair, and maintenance of the improvements thereon.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 10 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 1638 Water & Land on S.C.R. No. 13

The purpose of this measure is to authorize the issuance of a perpetual, non-exclusive easement covering a portion of state submerged lands at Maunaloa, Honolulu, Oahu, for the existing storm drain, and for use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the subject location of the proposed easement was never private land, is within a rocky shoreline that contains no beach resources, is not anticipated to have any impact on lateral sand movement or prohibit lateral shoreline access, and serves the public interest of mitigating surface runoff. Your Committee further finds that this measure is necessary to provide legislative authorization for the Board of Land and Natural Resources to lease the subject submerged lands.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 13 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 1639 Water & Land on S.C.R. No. 113

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Kapaa, Kawaihau, Kauai, for construction, maintenance, and repair of a temporary sand groin.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that there is an existing shoreline encroachment consisting of a temporary emergency erosion control structure fronting property located in Kapaa, Kawaihau, Kauai. Your Committee further finds that the Department of Land and Natural Resources has worked with the property owner to resolve the encroachment by granting a term, non-exclusive easement to allow for the construction of a sand groin and the use, repair, and maintenance of improvements on the state submerged lands, and the grantee will be required to pay the State the fair market value of the easement. However, the Legislature must grant prior authorization before any state submerged lands may be leased. This measure authorizes the granting of a term, non-exclusive easement for the portion of identified state submerged lands in Kapaa that have been encroached upon and for the construction of the sand groin and the use, repair, and maintenance of the improvements.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 113, S.D. 2, and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 1640 Water & Land on S.C.R. No. 11

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Waimanalo, Koolaupoko, Oahu, for the existing pier, seawall, and steps constructed on those state submerged lands, and for the use, repair, and maintenance of the existing pier, seawall, and steps.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the existing pier abutting private property located in Waimanalo, Koolaupoko, Oahu, and a portion of the existing seawall and steps fronting the same property, were built on state submerged lands. Your Committee further finds that the Department of Land and Natural Resources has worked with the property owner to resolve the encroachments of the existing pier, seawall, and steps by granting a 55-year non-exclusive easement for the pier, seawall, and steps, and the grantee is required to pay the fair market value of the easement. However, the Legislature must grant prior authorization before state submerged lands may be leased. This measure authorizes the granting of a term, non-exclusive easement for the portion of identified state submerged lands in Waimanalo, Koolaupoko, Oahu, that have been encroached upon by the pier, seawall, and steps, and for the use, repair, and maintenance of those improvements.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 11, S.D. 1, and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 1641 Water & Land on S.C.R. No. 12

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands at Kamaole, Kula, Maui, for the existing rubble rock revetment, rock wall, and two concrete stairways, and for use, maintenance, repair, replacement, and removal of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the rubble rock revetment, rock wall, and two concrete stairways, all of which were built in 1980, are subject to the approval of the Department of Land and Natural Resources' Office of Conservation and Coastal Lands, which determined that: the encroaching structures prevent shoreline erosion and will help to mitigate inland flooding associated with large wave and storm events; removal of the rubble rock revetment would likely place one of the condominium buildings under immediate threat from erosion; and public access would be diminished by removal of the stairs. Your Committee further finds that this measure is necessary to provide legislative authorization for the Board of Land and Natural Resources to lease the subject submerged lands.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 12 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1642 Water & Land on S.C.R. No. 14

The purpose of this measure is to authorize the issuance of a perpetual, non-exclusive easement covering a portion of state submerged lands at Kaneohe, Koolau, Oahu, for the existing storm drain, and for use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that portions of an existing storm drain in Kaneohe were placed on state submerged lands. Your Committee notes that the shoreline fronting the drainage structure consists of the muddy waters of Kaneohe Bay, does not contain beach resources, and is not anticipated to impact lateral sand movement or flanking. Your Committee further finds that this measure is necessary to provide legislative authorization for the Board of Land and Natural Resources to lease the subject submerged lands.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 14 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1643 Water & Land on S.C.R. No. 42

The purpose of this measure is to authorize the issuance of a lease covering state submerged lands at Pier 27 in Honolulu Harbor, Oahu, to Atlantis Submarines Hawaii, LLC.

Your Committee received testimony in support of this measure from the Department of Transportation and Atlantis Submarines Hawaii, LLC.

Your Committee finds that the Department of Transportation relocated Atlantis Submarines Hawaii, LLC, from Pier 41 in Honolulu Harbor to Pier 27 during August 2014 to make way for the development of Kapalama Container Terminal, a critical modernization project identified by the Legislature in the Harbors Modernization Plan under Act 200, Session Laws of Hawaii 2008. Your Committee finds that this measure is necessary to grant legislative authorization for the Department of Transportation, with the prior approval of the Board of Land and Natural Resources, to enter into a lease with Atlantis Submarines Hawaii, LLC, that will include the fast lands at Pier 27 and state submerged lands fronting the property bound by Pier 27.

Your Committee has amended this measure by 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 Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 42, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as S.C.R. No. 42, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1644 Water & Land on S.C.R. No. 207

The purpose of this measure is to review and approve a specific land exchange between the State and trustees of the Parker Land Trust.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Parker Ranch, Inc. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

Your Committee finds that this land exchange is mutually beneficial to the State and Parker Ranch, Inc. Your Committee further finds that section 171-50(c), Hawaii Revised Statutes, requires that exchanges of public land for private land be subject to approval by the Legislature by a majority vote of both houses in any regular or special session following the Board of Land and Natural Resources' approval in principle of the exchange.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 207 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 1645 Labor & Tourism on S.C.R. No. 98

The purpose of this measure is to request the Director of Labor and Industrial Relations to convene a task force to study, design, and develop a paid family leave pilot program with coverage limited to certain employers and employees to be established and implemented by the Department of Labor and Industrial Relations as a trial program that could eventually be expanded to cover all public and private sector workers in the State.

Your Committee received testimony in support of this measure from the Americans for Democratic Action Hawai'i; Hawaii Children's Action Network Speaks!; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Planned Parenthood Alliance Advocates; American Association of University Women of Hawaii; Breastfeeding Hawaii; Neighborhood Place of Puna; and seven individuals. Your Committee received comments on this measure from the Department of Labor and Industrial Relations and Society for Human Resource Management Hawaii.

Your Committee finds that the family leave provided under the federal Family and Medical Leave Act of 1993, as amended, and under chapter 398, Hawaii Revised Statutes, is unpaid, and as of March 2018, only seventeen percent of workers in the United States had access to paid family leave through their employers. Your Committee further finds that a majority of Hawaii's workforce cannot afford to take unpaid leave for family caregiving purposes. In December 2019, the Legislative Reference Bureau issued its Paid Family Leave Program Impact Study, which projected the costs and staffing required to establish and maintain a paid family leave system in Hawaii under three social insurance models, and reported that pertinent policy aspects would need to be determined irrespective of which model is adopted. This measure supports the creation of a task force to provide specified information and recommendations on a paid family leave pilot program.

Your Committee has amended this measure by:

- (1) Requesting that the task force develop its own goals and objectives for the paid family leave pilot program, and appoint a chairperson from among its members;
- (2) Adding a representative from an employer organization, such as the Society for Human Resource Management Hawaii, to be appointed to the task force by the Governor;
- (3) Requesting that the task force submit its report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023, rather than 2022;
- (4) Providing that the task force be dissolved on January 31, 2023;
- (5) Deleting as premature, the request that the task force describe opportunities and challenges of expanding the pilot program to Hawaii's entire workforce and provide proposed legislation for an expanded program; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 98, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 98, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Belatti, Quinlan).

SCRep. 1646 Labor & Tourism on S.C.R. No. 99

The purpose of this measure is to ratify a proposed amendment to the Constitution of the United States to give the Congress of the United States the power to limit, regulate, and prohibit the labor of persons under eighteen years of age.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations.

Your Committee finds that House Joint Resolution 184, approved by the Sixty-Eighth Congress in 1924, proposed an amendment to the United States Constitution to give Congress the power to regulate child labor. Your Committee further finds that the proposal to amend the Constitution is still outstanding because Congress did not set a time limit for its ratification by the states, and that Hawaii is one of several states that have no record of taking action on the proposed amendment. Your Committee also finds that federal regulation of child labor is now provided under the Fair Labor Standards Act of 1938, as amended; however, by ratifying the proposed amendment, the Legislature would demonstrate the State's stance on the issue.

Your Committee has amended this measure by 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 Labor & Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 99, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as S.C.R. No. 99, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Belatti, Quinlan).

SCRep. 1647 Water & Land on S.C.R. No. 17

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands at Waiohuli-Keokea Homesteads, Kihei, Maui, for the existing seawall, rock revetment, and concrete steps, and for use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the Department of Land and Natural Resources' Office of Conservation and Coastal Lands has determined that little to no beach fronts the subject property specified in this measure and public access is limited due to extensive beach loss and shoreline armoring. The Office of Conservation and Coastal Lands concluded that the seawall easement would have no discernable effect on beach and recreational resources and would not act as a detriment to public access. Your Committee notes that removal of the seawall may destabilize seawalls and revetments at adjacent properties, potentially threatening upland structures. Your Committee further finds that this measure is necessary to provide legislative authorization for the Board of Land and Natural Resources to lease the subject submerged lands.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 17 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1648 Water & Land on S.C.R. No. 87

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering portions of state submerged lands at Kuau, Hamakuapoko, Maui, for the existing seawall and concrete steps, and for use, repaid, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Sea & Believe LLC.

Your Committee finds that an existing seawall and concrete steps encroach upon state submerged lands at Kuau, Hamakuapoko, Maui. Your Committee further finds that the Department of Land and Natural Resources has worked with the previous owner, Kahanu Family Limited Partnership, and the current

owner, Sea & Believe LLC, to resolve the encroachment by granting a term, non-exclusive easement for the seawall. Pursuant to section 171-53(c), Hawaii Revised Statutes, the Legislature must grant prior authorization before any state submerged lands may be leased. This measure authorizes the granting of a term, non-exclusive easement for the portion of identified state submerged lands in Kuaui, Hamakuapoko, Maui, that have been encroached upon by the seawall and concrete steps.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 87 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1649 Water & Land on S.C.R. No. 22

The purpose of this measure is to request the Board of Land and Natural Resources to enter into a long-term water lease with the Wai'oli Valley Taro Hui for their existing use of water from Wai'oli Stream via direct negotiation, upon completion of the environmental review process outlined in chapter 343, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Mayor of the County of Kauai, one member of the Kauai County Council, Wai'oli Valley Taro Hui, Sierra Club of Hawai'i, Hanalei Watershed Hui, Hanalei Hawaiian Civic Club, National Tropical Botanical Garden, Hawai'i Land Trust, and numerous individuals.

Your Committee finds that the Hanalei and Wai'oli valleys produce nearly two-thirds of Hawaii's kalo. Unprecedented flooding in 2018 left many kalo farmers in Wai'oli Valley with damaged or altered water infrastructure, and recent flooding and a landslide have exacerbated challenges with growing, tending, and transporting kalo and supplies. Your Committee further finds that the ancient, Native Hawaiian water use for kalo cultivation by the Wai'oli Valley Taro Hui is non-consumptive, non-polluting, instream, and in-watershed and appropriate for a long-term water lease via direct negotiation.

Your Committee finds that the companion to this measure, H.C.R. No. 163, H.D. 1 (Regular Session of 2021), a substantially similar measure, was previously passed by the House.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.C.R. No. 163, H.D. 1, a measure that requests the Board of Land and Natural Resources to enter into a long-term water lease with the Wai'oli Valley Taro Hui for its existing use of water from Wai'oli Stream via direct negotiation, upon completion of the requirements of chapter 343, Hawaii Revised Statutes;
- (2) Amending its title to read, "REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO ENTER INTO A LONG-TERM WATER LEASE WITH WAI'OLI VALLEY TARO HUI FOR THE HUI'S EXISTING USE OF WATER FROM WAI'OLI STREAM VIA DIRECT NEGOTIATION, UPON COMPLETION OF THE REQUIREMENTS OF CHAPTER 343, HAWAII REVISED STATUTES."; and
- (3) Modifying the list of recipients to whom copies of this measure will be transmitted.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 22, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 22, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Ohno).

SCRep. 1650 Judiciary & Hawaiian Affairs on H.R. No. 57

The purpose of this measure is to designate September as National Suicide Prevention and Action Month.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawaii Family Forum, Aloha Aina Party, and Sutter Health Kahi Mohala.

Your Committee finds that September is known nationally as "Suicide Prevention Month", a designation that is intended to promote awareness and raise visibility of the mental health resources and suicide prevention services available in the community.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 57, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Ichiyama, McKelvey, Tokioka).

SCRep. 1651 Judiciary & Hawaiian Affairs on H.R. No. 81

The purpose of this measure is to:

- (1) Request the City and County of Honolulu to develop a comprehensive plan to drain and clear streams and canals that flow in residential areas in Waiahole, Kaneohe, and other Koolauloa communities;
- (2) Address recent heavy rainfall that caused flooding in certain parts of Oahu, including Haleiwa and Waialua, and the continued struggles of residents of Koolauloa to dispose of debris and mud;
- (3) Request that the Hawaii Emergency Management Agency and Department of Emergency Management of the City and County of Honolulu improve the flash flood warning system;
- (4) Request the City and County of Honolulu to create a comprehensive action plan for each Council district to mitigate the impacts of flooding and hurricanes; and
- (5) Request that first responders coordinate more closely to ensure that residents have safe evacuation routes in the event of flooding.

Your Committee received testimony in support of this measure from one individual.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs 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 the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Ichiyama, McKelvey, Tokioka).

SCRep. 1652 Judiciary & Hawaiian Affairs on S.C.R. No. 66

The purpose and intent of this measure is to condemn and denounce all forms of anti-Asian sentiment and all acts of racism, xenophobia, intolerance, discrimination, hate crime, and hate speech against Asian Americans and Asian individuals in the United States.

Your Committee received testimony in support of this measure from the Japanese American Citizens League – Honolulu Chapter, Aloha Aina Party, Hawai'i Friends of Civil Rights, Democratic Party of Hawaii Education Caucus, Imua Alliance, and five individuals. Your Committee received comments on this measure from the Hawai'i Civil Rights Commission.

Your Committee finds that, despite the undeniable history of persistent discrimination, Violence, and hate crimes against Asians in the United States, racism against Asians is often considered nonexistent, insignificant, or justified. Your Committee further finds that since the outbreak of coronavirus disease in 2019, anti-Asian sentiment has surged and random crimes and hate crimes against Asians skyrocketed, instigating violent attacks against individuals of not only Chinese, but also of Thai, Vietnamese, Filipino, Korean, Japanese, and other Asian origins. Your Committee additionally finds that the persistent discrimination, violence, and hate crimes against Asians in the United States are placing Asian individuals and their families, communities, and businesses at risk.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 66, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 66, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Ichiyama, McKelvey, Tokioka).

SCRep. 1653 Judiciary & Hawaiian Affairs on S.C.R. No. 140

The purpose of this measure is to assert that racism is a public health crisis and to urge the State to commit to recognizing and addressing the resulting inequities.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, American Heart Association, YWCA Oahu, LGBT Caucus of the Democratic Party of Hawaii, Aloha Aina Party, Democratic Party of Hawaii Education Caucus, Imua Alliance, Hawaii Health and Harm Reduction Center, and seven individuals. Your Committee received comments on this measure from Common Cause Hawaii.

Your Committee finds that racism is a social system with many dimensions that act on systemic, institutional, and interpersonal levels, and that structural racism has resulted in race functioning as a social determinant of health, with persistent racial disparities in areas such as health care, criminal justice, housing, education, employment, worker protections, climate, food access, and technology. Your Committee further finds that the coronavirus disease 2019 (COVID-19) pandemic has highlighted these disparities. Your Committee additionally finds that shortly before the COVID-19 pandemic, the Aloha United Way issued a report on Asset Limited, Income Constrained, Employed (ALICE) households, finding that forty-two percent of Hawaii's 455,138 households struggle to make ends meet. Your Committee also finds that the disparities caused by systemic racism and the difficulties experienced by ALICE households are frequently linked.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 140, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Ward). Noes, none. Excused, 3 (Ichiyama, McKelvey, Tokioka).

SCRep. 1654 Consumer Protection & Commerce on S.B. No. 244

The purpose of this measure is to discourage food waste and encourage food donation to needy persons by:

- (1) Expanding liability protections for donors to include donations of perishable or nonperishable food, farm produce, and similar donations made to needy persons by charitable, religious, or nonprofit organizations; and
- (2) Authorizing the donation of expired food when the good-faith donor or distributor reasonably believes the food is fit for human consumption.

Your Committee received testimony in support of this measure from Rainbow Family 808, Hawaii Primary Care Association, Down to Earth Organic and Natural, Hawai'i Farm Bureau, Hawai'i Pacific Health, Waianae Coast Comprehensive Health Center, and one individual. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that more than ten percent of Hawaii residents are food insecure and receive food assistance through nonprofit organizations and government programs. Due to the COVID-19 pandemic, food insecurity in Hawaii has increased. There are now over 189,000 Supplemental Nutrition Assistance Program recipients in the State. Your Committee further finds that despite this high level of food insecurity, Hawaii businesses and residents discard tons of food waste per year. This measure establishes a standard of liability protection for food donations to encourage the donation of food that would otherwise go to waste.

Your Committee has amended this measure by:

- (1) Deleting language that specified that farm produce included produce where a needy person was directly involved in the harvest of the donated food;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 244, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 244, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 1655 Consumer Protection & Commerce on S.B. No. 329

The purpose of this measure is to:

- (1) Shorten the notice period from sixty days to thirty days for a board of directors of a condominium association to sell, store, donate, or dispose of personalty when the identity and address of the owner are known; and
- (2) Eliminate the requirement that a condominium association first advertise the sale, donation, or disposition of personalty abandoned in or on the common elements of a condominium project when the identity and address of the owner are unknown, and instead allow the association to proceed directly to sell, store, donate, or dispose of the personalty and keep the proceeds.

Your Committee received testimony in support of this measure from Associa, Palehua Townhouse Association, Hawaii Council of Associations of Apartment Owners, Board of Directors of the Honolulu Tower AOA, Community Associations Institute Legislative Action Committee, and eight individuals.

Your Committee finds that personalty may be left in common areas of a condominium by residents, their visitors, or other third parties. When the owner of the personalty or the owner's address is not known, existing law requires a condominium association to first advertise the sale, donation, or disposition at least once in a daily paper of general circulation. Your Committee further finds that this requirement is unnecessarily burdensome to condominium associations and increases the costs associated with the operation of condominiums. This measure reduces some of obstacles condominium boards face when disposing of abandoned or unwanted property.

Your Committee has amended this measure by changing the effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 329, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 329, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 1656 Consumer Protection & Commerce on S.B. No. 1333

The purpose of this measure is to conform the Uniform Controlled Substances Act with amendments in the federal controlled substances law by:

- (1) Exempting hemp and any material, compound, mixture, or preparation that falls within the definition of hemp from the Uniform Controlled Substances Act; and
- (2) Removing the prescription drug Epidiolex and approved generic versions of that drug that contain cannabidiol derived from cannabis and no more than 0.1 percent (w/w) residual tetrahydrocannabinols from Schedule V of the Uniform Controlled Substances Act and certain provisions of the Hawaii Penal Code.

Your Committee received testimony in support of this measure from Greenwich Biosciences and one individual. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the Agriculture Improvement Act of 2018 (Public Law 115-334) modified the regulatory controls over cannabis, tetrahydrocannabinols, and other cannabis-related constituents in the federal Controlled Substances Act by removing hemp from the definition of marijuana under the Act. Your Committee further finds that in April 2020, the United States Drug Enforcement Agency notified the manufacturer of Epidiolex, a drug used to treat two forms of childhood-onset epilepsy, of its removal from the federal Schedule V and, in August 2020, officially removed Epidiolex's designation in the federal Schedule V through an interim final rule. This measure conforms the Uniform Controlled Substances Act with the federal treatment of hemp and Epidiolex and its approved generic versions.

Your Committee notes that the Department of the Attorney General submitted written testimony to your Committee raising concerns that some provisions of this measure may exceed the bounds of the one subject expressed in this measure's title. Specifically, the Department of the Attorney General states that the provisions in this measure amending the Hawaii Penal Code are outside the scope of the title, "Relating to the Uniform Controlled Substances Act." This concern should be given further consideration as this measure advances into Conference.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1333, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1333, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, 1 (Har). Excused, 1 (Kong).

SCRep. 1657 Consumer Protection & Commerce on S.B. No. 474

The purpose of this measure is to require that mandatory seller disclosures in real property transactions include whether a residential real property is within the sea level rise exposure area as designated by the Hawaii Climate Change Mitigation and Adaptation Commission or its successor.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Climate Change Mitigation and Adaptation Commission; Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu; Hawai'i Association of REALTORS; Hawai'i Reef and Ocean Coalition; Sierra Club of Hawai'i; Imua Alliance; Hawai'i Shore and Beach Preservation Association; Surfrider Foundation, Hawai'i Region; and one individual.

Your Committee finds that the Hawaii Climate Change Mitigation and Adaptation Commission, established by Act 32, Session Laws of Hawaii 2017, is the coordinating body for policies on climate change mitigation and adaptation for the State. The Hawaii Climate Change Mitigation and Adaptation Commission agreed to five priority recommendations for countering the impacts of sea level rise, including supporting legislation requiring disclosure for private property and public offerings located in areas with potential exposure to sea level rise.

Your Committee further finds that disclosing sea level rise vulnerabilities with the sale of a vulnerable coastal property will support informed decision making by buyers and government agencies. The value of property lying within the boundaries of a sea level rise exposure area will likely be affected over time, and thus is a material fact that should be disclosed by a seller in a real property transaction.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 474, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 474, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 1658 Consumer Protection & Commerce on S.B. No. 489

The purpose of this measure is to increase the maximum area for each agricultural shade cloth structure, cold frame, or greenhouse not used as a dwelling or lodging unit, that could qualify the structure for exemption from building permit and building code requirements.

Your Committee received testimony in support of this measure from the Department of Agriculture; Office of Planning; College of Tropical Agriculture and Human Resources of the University of Hawai'i at Mānoa; Ulupono Initiative; Hawaii Cattlemen's Council, Inc.; Hawai'i Farm Bureau; Hawaii Farming LLC; Big Island Produce; and one individual.

Your Committee finds that the COVID-19 pandemic has highlighted the need to diversify the State's economy, including the promotion of agricultural production. Your Committee further finds that certain low-risk agricultural structures, such as agricultural shade cloth structures, cold frames, and greenhouses, are provided a limited exemption from county building permit and building code requirements. By expanding the limited exemption for these specific low-risk agricultural structures, farmers will have the ability to scale up their operations for bigger and more cost-effective protective structures to shelter crops from pest infestation, extreme temperatures, excessive rains, long droughts, and feral animals. The broadened exemption proposed by this measure will aid in furthering agricultural production and development in the State.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 489, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 489, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 1659 Consumer Protection & Commerce on S.B. No. 1387

The purpose of this measure is to require certain dog and cat owners to microchip their pets.

Your Committee received testimony in support of this measure from the Hawaii Association of Animal Welfare Agencies and one individual. Your Committee received testimony in opposition to this measure from three individuals. Your Committee received comments on this measure from the Department of Agriculture and American Bird Conservancy.

Your Committee finds that microchip identification is the single most effective way of returning lost pets to their owners. Your Committee further finds that microchipping is an affordable way to locate a missing pet as it bypasses the need for animal control, thereby eliminating the cost of intake and boarding of lost pets at the expense of taxpayers. This measure will ensure that lost pets are returned to their owners in a timely and safe manner by requiring certain dogs and cats to be microchipped.

Your Committee has amended this measure by:

- (1) Excluding the Plant Quarantine Branch of the Department of Agriculture from the definition of "owner," thereby excluding the Branch from the microchip requirements proposed by this measure;
- (2) Deleting as unnecessary language that stated the counties could dispense or modify licensing requirements for cats under chapter 143, Hawaii Revised Statutes, as cats are not required to be licensed under that chapter and the counties already have authority to regulate cats; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1387, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1387, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 1660 Consumer Protection & Commerce on S.B. No. 768

The purpose of this measure is to establish the Rental Car Modernization Task Force to develop a plan to determine the feasibility of installing sufficient electric vehicle charging infrastructure to support a one hundred percent zero-emissions rental motor vehicle fleet by 2035.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office and three individuals. Your Committee received testimony in opposition to this measure from Climate Protectors Hawai'i and 350Hawaii.org. Your Committee received comments on this measure from the Department of Transportation, Ulupono Initiative, Avis Budget Group, Alliance for Automotive Innovation, and Enterprise Holdings.

Your Committee finds that electric vehicles are an important avenue to address Hawai'i's pressing climate issues. The adoption and widespread deployment of electric vehicles aligns with the State's energy and environmental goals and is essential to reduce Hawai'i's dependence on fossil fuels. Electric vehicles currently offer an effective option to advance clean, renewable ground transportation. This measure will bring the State one step closer to realizing its goal of one hundred percent renewable energy by looking at the feasibility of installing enough electric vehicle charging infrastructure to support a completely electronic vehicle fleet for the rental motor vehicle industry.

Your Committee has amended this measure by:

- (1) Updating the membership of the Task Force to include a representative from a trade association representing the automobile manufacturing industry, rather than a representative from an automobile manufacturing company;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 768, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 768, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 1661 Consumer Protection & Commerce on S.B. No. 1212

The purpose of this measure is to amend registration requirements for motor carrier vehicles that have an outstanding federal out-of-service order.

Your Committee received testimony in support of this measure from the Department of Transportation and one individual.

Your Committee finds that certain programs under the Department of Transportation that ensure motor carrier vehicles are safe to operate on state highways receive funding from the Federal Motor Carrier Safety Administration. Your Committee further finds that the Performance Registration Information Systems Management (PRISM) program is a federal program that identifies and immobilizes motor carrier vehicles that are under a federal out-of-service order due to deficiencies found in compliance review inspections. The State must be in full participation with the PRISM program by the conclusion of the Regular Session of 2021 in order to continue receiving millions of dollars in federal grant monies. This measure ensures Hawaii is "PRISM Equivalent" and will continue to be eligible for federal Motor Carrier Safety Assistance Program grants and other federal funding that will be used to ensure that motor carrier vehicles are safe to operate on Hawaii's roads.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1212, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1212, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 1662 Finance on S.B. No. 696

The purpose of this measure is to:

- (1) Extend the date on which the temporary Commission on the Thirteenth Festival of Pacific Arts ceases to exist to August 31, 2025; and
- (2) Permit less than a quorum of members of the temporary Commission on the Thirteenth Festival of Pacific Arts to discuss matters relating to official board business outside a Commission meeting as a permitted interaction under part I of chapter 92, Hawaii Revised Statutes, to enable them to perform their duties faithfully, provided that the Commission holds a meeting at least once a month.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Tourism Authority; and Commission on the 13th Festival of Pacific Arts and Culture. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 696, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 696, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1663 Finance on S.B. No. 697

The purpose of this measure is to establish January of each year as "Kalaupapa Month" to serve as an annual reminder of the importance of Kalaupapa and the significant sacrifices and contributions of its residents throughout the history of Hawaii.

Your Committee received testimony in support of this measure from the Department of Health, The Friends of Iolani Palace, Ka 'Ohana O Kalaupapa, IDEA Center for the Voices of Humanity, Catholic Diocese of Honolulu, and seventeen individuals.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 697, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 697, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1664 Finance on S.B. No. 939

The purpose of this measure is to establish June 19 of each year as Juneteenth in recognition of the history and legacy of slavery in the United States and in honor of the significant roles and contributions of African Americans in the history of the United States.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, one member of the Kaua'i County Council, Young Progressives Demanding Action, Rainbow Family 808, LGBT Caucus of the Democratic Party of Hawaii, Common Cause Hawaii, Hawaii for

Juneteenth Coalition, Community Alliance on Prisons, and six individuals.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

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.B. No. 939, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 939, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1665 Finance on S.B. No. 1127

The purpose of this measure is to make an emergency appropriation to the Department of Human Services to fund general assistance payments in the current fiscal year, beginning July 1, 2020, and ending June 30, 2021.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Department of Human Services, Catholic Charities Hawai'i, Partners In Care, Hawaii Primary Care Association, PHOCUSED, and two individuals.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount to the Department of Human Services from \$5,400,000 to \$3,200,000 for fiscal year 2020-2021;
- (2) Making it effective upon its approval; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1127, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1127, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1666 Finance on S.B. No. 855

The purpose of this measure is to:

- (1) Extend the sunset dates for the Pesticide Subsidy Program and Pesticide Subsidy Program Manager position for an additional two years;
- (2) Provide that the \$600 per year subsidy limit for each single coffee grower applies to coffee berry borer control, with a separate \$600 annual limit per grower for coffee leaf rust control;
- (3) Provide that no single coffee grower can receive subsidies totaling more than \$12,000 per year after June 30, 2021, and before July 1, 2023; and
- (4) Expand the list of pesticides that the Department of Agriculture is required to establish to include those effective against coffee leaf rust.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Farm Bureau, University of Hawai'i at Mānoa College of Tropical Agriculture and Human Resources, Rancho Aloha, Kona Perfect, Kona Mountain Coffee, Konaloha Farms, Kona Coffee Farmers Association, Hawaii Coffee Association, Synergistic Hawaii Agriculture Council, Huahua Farm, and nine individuals.

Your Committee has amended this measure by:

- (1) Making unspecified the total annual amount for which a single coffee grower can receive subsidies after June 30, 2021, and before July 1, 2023; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, 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 S.B. No. 855, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 855, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1667 Finance on S.B. No. 970

The purpose of this measure is to authorize the establishment of a physician-patient relationship via a telehealth interaction, if the physician is licensed to practice medicine in the State.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Office of Hawaiian Affairs, Hawaii Medical Board, Planned Parenthood Votes Northwest and Hawaii, AARP Hawai'i, Healthcare Association of Hawaii, Hawai'i Public Health Association, Hawai'i Pacific Health, The Queen's Health Systems, Hawai'i Public Health Institute, Hawaii Substance Abuse Coalition, and two individuals. Your Committee received comments on this measure from Kaiser Permanente Hawai'i.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2021; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 970, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 970, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1668 Finance on S.B. No. 664

The purpose of this measure is to:

- (1) Require the Department of Public Safety to develop a new Oahu Community Correctional Center; and

(2) Appropriate funds for an oversight coordinator position and necessary support staff positions for the Hawaii Correctional System Oversight Commission.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Hawai'i Psychological Association, League of Women Voters, and one individual. Your Committee received testimony in opposition to this measure from the Hawai'i Friends of Restorative Justice, American Civil Liberties Union of Hawai'i, Foresight/Policy Analysis, Ohana Ho'opakele, Community Alliance on Prisons, and numerous individuals. Your Committee received comments on this measure from the Department of Public Safety; Office of Hawaiian Affairs; Office of the Public Defender; United Public Workers, AFSCME Local 646, AFL-CIO; and one individual.

Your Committee has amended this measure by:

- (1) Removing the provisions that require the Department of Public Safety to develop a new Oahu Community Correctional Center; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 664, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 664, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1669 Consumer Protection & Commerce on S.B. No. 151

The purpose of this measure is to replace the term "accident" with the term "collision" under certain provisions of the Statewide Traffic Code.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, Department of the Prosecuting Attorney of the City and County of Honolulu, and one individual.

Your Committee finds that the term "accident" could be interpreted to mean an incident that occurs without any fault, negligence, or state of mind involved. In the context of the Statewide Traffic Code, this is typically not the case as many collisions occur due to a driver's knowing action that increases the likelihood of a collision, such as speeding or drinking alcohol.

Your Committee further finds that this interpretation could be used to prevent a person from being charged with leaving the scene of an accident and other offenses that require the State to prove that an offender had a certain state of mind at the time of the offense, such as negligent homicide or negligent injury. This measure replaces the term "accident" with "collision" to avoid any potential ambiguity. Your Committee notes that this change of terminology is consistent with guidance by the National Highway Traffic Safety Administration.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 151, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 1670 Consumer Protection & Commerce on S.B. No. 345

The purpose of this measure is to prohibit a manufacturer from importing for profit, selling, or offering for sale any cosmetic that a manufacturer knew or reasonably should have known was developed or manufactured using animal testing performed, on or after January 1, 2022, in a cruel manner.

Your Committee received testimony in support of this measure from the Department of Health, Hawaiian Humane Society, Cruelty Free US, The Body Shop, Down to Earth *Organic and Natural*, Animal Defenders International, Personal Care Products Council, Cruelty Free International, The Humane Society of the United States, Ao Organics Hawai'i, O'o Hawaii, Pure Mana Hawaii, and two individuals.

Your Committee finds that testing cosmetics on animals is cruel and increasingly unnecessary as there are now thousands of cosmetic ingredients whose effects have already been tested and compiled. Your Committee further finds that new alternatives to animal testing are readily available. These new testing methods are more efficient and provide better predictors of adverse human reactions to new chemical compounds than animal testing. This measure would align the State with other jurisdictions around the world that have banned testing cosmetics on animals by striking a balance between a complete ban and limited exceptions to the animal testing prohibition.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 345, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 1671 Consumer Protection & Commerce on S.B. No. 1291

The purpose of this measure is to:

- (1) Include autcycles equipped with handlebars in the definition of motorcycle in the Highway Safety Act; and
- (2) Exempt motorcycles and motor scooters with a roll bar or roll cage from the safety helmet requirement.

Your Committee received testimony in support of this measure from the Department of Transportation; Arcimoto; Forth; StrataG Consulting, LLC; and four individuals.

Your Committee finds that existing law is unclear whether certain three-wheeled electric vehicles that use handlebar steering in place of a steering wheel are classified as motorcycles or autcycles. As a result, operators of these vehicles must obtain a motorcycle endorsement for operation, even though the vehicles handle very similar to front wheel drive automobiles. This measure clarifies that electric vehicles with three wheels and handlebars can be operated with a general class 3 driver's license.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1291, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 1672 Consumer Protection & Commerce on S.B. No. 1150

The purpose of this measure is to authorize the Department of Health to accept nationally recognized accreditation or certification organizations to demonstrate a skilled nursing facility's compliance with the licensing inspection requirements required by the State.

Your Committee received testimony in support of this measure from the Department of Health and one individual. Your Committee received comments on this measure from the Healthcare Association of Hawaii.

Your Committee finds that the Joint Commission and other nationally recognized accrediting agencies have certification standards for skilled nursing facilities that are more stringent than those required by state law. Your Committee believes that allowing the Department of Health to recognize these accreditation and certification reviews to establish a skilled nursing facility's compliance with the State's licensing requirements will enable the Department to redeploy its staffing resources to other equally important surveys or investigations, while maintaining oversight of skilled nursing facilities to ensure the health, safety, and welfare of the public.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1150, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 1673 Consumer Protection & Commerce on S.B. No. 186

The purpose of this measure is to prohibit the enforcement of a re-recorded homeowners' association restriction if the restriction prohibits bona fide agricultural uses and activities on agricultural lands.

Your Committee received testimony in support of this measure from the Office of Planning, Hawai'i Farm Bureau, Wootens Produce of Kauai, and one individual. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that restrictive covenants that limit agricultural uses and activities on agricultural lands undermine the State's interest in protecting and preserving agricultural resources and promoting agricultural self-sufficiency. This measure clarifies that renewed covenants restricting agricultural uses and activities within the State Land Use Agricultural District are considered new contracts and therefore voidable, subject to special restrictions.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 186, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 1674 Finance on S.B. No. 400

The purpose of this measure is to clarify that increased fines may be imposed on a candidate committee or noncandidate committee that fails to timely file a preliminary primary or preliminary general report.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii and three individuals. Your Committee received comments on this measure from the Campaign Spending Commission, Common Cause Hawaii, and seven individuals.

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.B. No. 400, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Perruso).

SCRep. 1675 Finance on S.B. No. 406

The purpose of this measure is to:

- (1) Clarify that the Campaign Spending Commission may employ or contract with persons for the performance of the day-to-day functions of the Campaign Spending Commission; and
- (2) Require a complaint initiated by the staff of the Campaign Spending Commission to be in writing and signed by the Executive Director.

Your Committee received testimony in support of this measure from the Campaign Spending Commission and one individual.

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.B. No. 406, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Perruso).

SCRep. 1676 Finance on S.B. No. 324

The purpose of this measure is to amend the definition of the practice of medicine to provide uniformity of practice for medical doctors and osteopathic doctors.

Your Committee received testimony in support of this measure from the Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs, Hawaii Medical Board, and Kaiser Permanente Hawai'i.

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.B. No. 324, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1677 Finance on S.B. No. 386

The purpose of this measure is to require:

- (1) A family court to make findings, after a hearing and in writing, before a minor can be transferred to an adult jail or lockup or be permitted sight or sound

contact with adult offenders, subject to certain circumstances; and

- (2) The circuit court to commit all convicted offenders under eighteen years of age to Hawaii youth correctional facilities in cases where the court deems the sentence more suitable.

Your Committee received testimony in support of this measure from the Judiciary, Office of Hawaiian Affairs, and Office of Youth Services. Your Committee received comments on this measure from the Department of Human Services, Department of Public Safety, and Office of the Public Defender.

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.B. No. 386, S.D. 1, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1678 Finance on S.B. No. 589

The purpose of this measure is to:

- (1) Establish the University of Hawaii Cancer Center in statute as the Cancer Research Center of Hawaii, to be administered by a Director who is to be appointed by the University of Hawaii Board of Regents;
- (2) Establish accountability and administrative relationships among the Director of the Cancer Center, Dean of the University of Hawaii John A. Burns School of Medicine, Provost of the University of Hawaii at Manoa, and President of the University of Hawaii;
- (3) Require the University of Hawaii to develop and implement a plan for the John A. Burns School of Medicine and University of Hawaii Cancer Center to achieve greater operational efficiencies, reduce duplication of services, and share administrative functions to the maximum extent practicable, and require the President of the University of Hawaii to submit a report on the progress of the plan to the Legislature prior to the Regular Session of 2023;
- (4) Require that funds from the University of Hawaii Tuition and Fees Special Fund for the John A. Burns School of Medicine or Cancer Research Center of Hawaii be used for educational purposes only;
- (5) Require that funds from the Research and Training Revolving Fund for the John A. Burns School of Medicine or Cancer Research Center of Hawaii be used for research and research-related purposes only;
- (6) Repeal the sunset provision in Act 38, Session Laws of Hawaii 2017, relating to research commercialization and economic development as they relate to technology transfer activities sponsored by the University of Hawaii;
- (7) Make the Innovation and Commercialization Initiative Program permanent by repealing the sunset provision in Act 39, Session Laws of Hawaii 2017; and
- (8) Make the authority of the President of the University of Hawaii to act as the University of Hawaii's Chief Procurement Officer for all procurement contracts under chapter 103D, Hawaii Revised Statutes, permanent by repealing the sunset provision in Act 42, Session Laws of Hawaii 2018.

Your Committee received testimony in support of this measure from the University of Hawai'i System, three individuals, and a petition from numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii Society of Clinical Oncology. Your Committee received comments on this measure from the State Procurement Office; Hawaii Technology Development Corporation; American Cancer Society Cancer Action Network; DataHouse Consulting, Inc.; Hawaiian Electric Industries, Inc.; Adnoviv, Inc.; University of Hawaii Professional Assembly; and Hawaiian Telcom.

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.B. No. 589, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1679 Finance on S.B. No. 819

The purpose of this measure is to preserve access to health care for Medicaid recipients by extending the Hospital Sustainability Program established by Act 217, Session Laws of Hawaii 2012.

Your Committee received testimony in support of this measure from Hawai'i Pacific Health, Healthcare Association of Hawaii, Kaiser Permanente Hawai'i, The Queen's Health Systems, and Hawai'i Primary Care Association. Your Committee received comments on this measure from the Department of Human Services.

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.B. No. 819, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1680 Finance on S.B. No. 134

The purpose of this measure is to prohibit the Governor or a mayor from suspending requests for public records or vital statistics during a declared state of emergency.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii, Common Cause Hawaii, Civil Beat Law Center for Public Interest, and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Office of Information Practices and Grassroot Institute 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 is in accord with the intent and purpose of S.B. No. 134, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1681 Finance on S.B. No. 538

The purpose of this measure is to clarify the jurisdiction of the Hawaii Civil Rights Commission. Specifically, this measure:

- (1) Clarifies the intent for a state law counterpart for disability discrimination in federally funded programs and services; and
- (2) Excludes jurisdiction over programs or activities that are covered by the Individuals with Disabilities Education Act.

Your Committee received testimony in support of this measure from the Department of Education, Disability and Communication Access Board, Hawai'i Civil Rights Commission, Hawaii Disability Rights Center, National Federation of the Blind of Hawaii, and one individual. Your Committee received comments on this measure from one individual.

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.B. No. 538, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1682 Finance on S.B. No. 1220

The purpose of this measure is to add the University of Hawaii to the list of agencies that are authorized to conduct criminal history record checks on current or prospective employees or contractors whose duties include ensuring the security of campus facilities and persons.

Your Committee received testimony in support of this measure from the Department of Human Resources Development and University of Hawai'i System.

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.B. No. 1220, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1683 Finance on S.B. No. 348

The purpose of this measure is to:

- (1) Update existing law to require bottled water to meet standards prescribed by the United States Food and Drug Administration regarding product quality standards for bottled water; and
- (2) Repeal the requirement that noncarbonated bottled water be transported, stored, processed, or bottled in or through lines or equipment through which only water is passed.

Your Committee received testimony in support of this measure from the Sierra Club National Marine Team, Ko Olina Resort Operators Association, Ball Corporation, and Hawaii Food Industry Association. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Grassroot Institute 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 is in accord with the intent and purpose of S.B. No. 348, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1684 Finance on S.B. No. 934

The purpose of this measure is to exempt hydrogen fuel products from petroleum product measurement requirements.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Hawaii Hydrogen Alliance, Ulupono Initiative, Western States Hydrogen Alliance, Blue Planet Foundation, Alliance for Automotive Innovation, Hawaii Food Industry Association, and Hawai'i Gas. Your Committee received comments on this measure from the Department of Agriculture and Service.

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.B. No. 934, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1685 Finance on S.B. No. 1054

The purpose of this measure is to enable the use of monies in the Brownfields Cleanup Revolving Loan Fund for subgrants to eligible entities for assessment and cleanup of brownfields sites and certain site-monitoring activities.

Your Committee received testimony in support of this measure from the Department of Health; Department of Business, Economic Development, and Tourism; Office of Planning; and Department of Planning and Permitting of the City and County of Honolulu.

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.B. No. 1054, S.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1686 Finance on S.B. No. 1202

The purpose of this measure is to make various technical amendments to the fuel tax law, liquor tax law, and cigarette tax and tobacco tax law under the jurisdiction of the Department of Taxation.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Taxation and 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 is in accord with the intent and purpose of S.B. No. 1202, S.D. 1, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Perruso).

SCRep. 1687 Finance on S.B. No. 973

The purpose of this measure is to amend the Hawaii Money Transmitters Act by:

- (1) Incorporating definitions of key terms provided in the Model Money Services Business Law published by the Conference of State Bank Supervisors;
- (2) Requiring an applicant for a money transmitter license to submit information concerning any bankruptcy or receivership proceedings;
- (3) Extending the period of an applicant's litigation and criminal conviction history review from five to ten years from the date of the application; and
- (4) Clarifying the authority of the Commissioner of Financial Institutions to examine and investigate licensees or authorized delegates of licensees and participate in nationwide protocols for licensing cooperation and coordination among state regulators.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

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.B. No. 973, S.D. 1, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Perruso).

SCRep. 1688 Finance on S.B. No. 140

The purpose of this measure is to:

- (1) Require the Hawaii Community Development Authority to develop a transit-oriented development zone improvement program;
- (2) Amend the membership of the Hawaii Community Development Authority for matters affecting transit-oriented development zones; and
- (3) Authorize the Hawaii Community Development Authority to establish transit-oriented development zones for lands within county-designated transit-oriented development zones or within a one-half mile radius around proposed or existing transit stations, under certain circumstances.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Planning, and Hawaii Community Development Authority. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from Hawaii's Thousand Friends.

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.B. No. 140, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (Branco, Marten). Noes, none. Excused, 1 (McDermott).

SCRep. 1689 Finance on S.B. No. 1401

The purpose of this measure is to

- (1) Require the Department of Transportation to:
 - (A) Consider and pursue certain goals when planning, designing, and implementing ground transportation infrastructure;
 - (B) Establish and publish performance standards with measurable benchmarks reflecting the capacity for all users to travel safely and conveniently along state roadways;
 - (C) Ensure that the complete street policies of the State apply to new construction, reconstruction, repaving, operations, and maintenance activities; and
 - (D) Ensure that a complete streets policy checklist of the duties of the Department of Transportation is published;
- (2) Amend the amount of eligible federal funds, in addition to other state highway fund monies available, to establish multi-use paths, bicycle paths, and bicycle lanes, and install signage and safety devices along bikeways;
- (3) Require the Director of Transportation to submit to the Legislature an annual report detailing compliance with the complete streets policy and principles during the preceding fiscal year; and
- (4) Require the counties to consider complete street policies when adopting or amending land use ordinances.

Your Committee received testimony in support of this measure from the Department of Transportation; Department of Health; Office of Hawaiian Affairs; Disability and Communication Access Board; Hawaii Climate Change Mitigation and Adaptation Commission; Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu; American Heart Association; AARP Hawai'i; Ulupono Initiative; Hawaii Bicycling League; Climate Protectors Hawaii; AlohaCare; Hawai'i Pacific Health Institute; and one individual.

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.B. No. 1401, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1690 Finance on S.B. No. 1402

The purpose of this measure is to require the Department of Transportation to create motor vehicle, bicycle, and pedestrian highway and pathway networks throughout each island.

Your Committee received testimony in support of this measure from the Department of Health; Department of Transportation; Office of Planning; Hawaii Climate Change Mitigation and Adaptation Commission; Hawaii State Energy Office; Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu; American Heart Association; AARP Hawai'i; Ulupono Initiative; Hawaii Bicycling League; Climate Protectors Hawaii; Blue Plant Foundation; AlohaCare; Hawai'i Public Health Institute; and two individuals. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

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.B. No. 1402, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1691 Finance on S.B. No. 320

The purpose of this measure is to:

- (1) Require tax return preparers to have a valid preparer tax identification number for claims and returns prepared for compensation submitted to the State;
- (2) Require tax return preparers to include the valid preparer tax identification number on any return or claim for refund prepared for compensation as required by the Department of Taxation;
- (3) Beginning with calendar year 2022, establish a continuing education requirement of four hours per calendar year for tax return preparers; and
- (4) Require the Board of Public Accountancy to adopt rules regarding continuing education, including compliance procedures and penalties for violations.

Your Committee received comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, and Hawaii Association of Public Accountants.

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.B. No. 320, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1692 Finance on S.B. No. 513

The purpose of this measure is to:

- (1) Establish an expeditious adjudication system for processing fireworks infractions, similar to the system for processing traffic infractions, with fines applying for violations of provisions that are not specifically provided for under the Fireworks Control Law as felonies or misdemeanors;
- (2) Implement the recommendations of the 2010 Illegal Fireworks Task Force by:
 - (A) Raising the fireworks display permit fee from \$110 to \$150;
 - (B) Clarifying that each aerial device, display firework, or article pyrotechnic having a total weight of twenty-five pounds or less that is illegally imported, transferred, or sold constitutes a separate violation;
 - (C) Increasing the penalty for removing or extracting the pyrotechnic contents from any firework or articles pyrotechnic for certain uses; and
 - (D) Increasing the fine for certain fireworks violations from no more than \$2,000 per violation to no more than \$5,000 per violation;
- (3) Authorize the Sheriff Division of the Department of Public Safety to enforce the Fireworks Control Law;
- (4) Require the Attorney General to establish an Explosion Detection Technology Working Group to study the feasibility of purchasing and deploying explosion detection technology to assist certain county police departments in locating and responding to explosions caused by the illegal use of firearms and fireworks; and
- (5) Require the Department of Public Safety to develop and implement a statewide web-based reporting tool for illegal fireworks that will provide the counties with additional data to enforce the applicable fireworks laws.

Your Committee received testimony in support of this measure from the Hawaii State Fire Council, Hawaiian Humane Society, and two individuals. Your Committee received comments on this measure from the Department of Public Safety.

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.B. No. 513, S.D. 1, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1693 Finance on S.B. No. 599

The purpose of this measure is to require massage therapy licensees to complete twelve hours of continuing education within the two-year period preceding the licensure renewal date, of which two hours shall include first aid, cardiopulmonary resuscitation, or other emergency-related courses, beginning with renewals for the biennium period beginning July 1, 2024.

Your Committee received testimony in support of this measure from the Board of Massage Therapy, American Massage Therapy Association - Hawaii Chapter, and one individual. Your Committee received comments on this measure from one individual.

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.B. No. 599, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1694 Finance on S.B. No. 766

The purpose of this measure is to allow a penalty of up to \$5,000 for each fourth or subsequent violation of the Motor Carrier Law within one calendar year.

Your Committee received testimony in support of this measure from the Public Utilities Commission, Hawaii Transportation Association, and two individuals.

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.B. No. 766, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1695 Finance on S.B. No. 1096

The purpose of this measure is to make various amendments to the State's insurance laws. Specifically, this measure:

- (1) Institutes certain consumer protections with regard to public adjusters, by:
 - (A) Requiring certain contractual terms and disclosures;
 - (B) Specifying that the commissions, fee, or other compensation that public adjusters may charge cannot be unreasonable; and
 - (C) Specifying that insureds have a right to rescind that contract, with certain restrictions;
- (2) Imposes the standard of conduct that is applied to other insurers upon limited lines motor vehicle rental company producers, owners of self-service storage facilities, and vendors of portable electronics;
- (3) Authorizes the Insurance Commissioner to waive or modify, in whole or part, upon a showing of good cause, any or all fees deposited into the Commissioner's Education and Training Fund and Compliance Resolution Fund;
- (4) Mandates the electronic payment of certain taxes and electronic filing of certain reports, and updates the system utilized for electronic filing;
- (5) Corrects an inaccuracy by stating that public adjusters and bill reviewers handle funds, not premiums;
- (6) Reinstates the right to an administrative hearing and appeal from an order that was inadvertently repealed by Act 279, Session Laws of Hawaii 2019;
- (7) Amends the composition and criteria for choosing members of the Hawaii Joint Underwriting Plan Board of Governors;
- (8) Lowers the minimum nonforfeiture interest rate from one percent to fifteen-hundredth of one percent;
- (9) Clarifies that rewards under wellness programs that meet certain criteria do not constitute a rebate by insurers to insureds;
- (10) Deletes the statutory date for extensions of certificates of authority for risk retention groups and authorizes the Insurance Commissioner to establish the dates consistent with the Insurance Commissioner's authority to establish dates for extensions for other insurers under the Insurance Code; and
- (11) Repeals the \$140 penalty imposed on pharmacy benefit managers for failure to renew their registration.

Your Committee received testimony in support of this measure from the American Insurance Group, Inc.; Planned Parenthood Votes Northwest and Hawaii; Kaiser Permanente Hawai'i; American Association of Public Insurance Adjusters; American Council of Life Insurers; and Hawaii Medical Service Association. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

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.B. No. 1096, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1696 Finance on S.B. No. 1098

The purpose of this measure is to adopt certain provisions of the National Association of Insurance Commissioners' Producer Licensing Model Act, Public Adjuster Licensing Model Act, Reinsurance Intermediary Model Act, and Independent Adjuster Licensing Model Guidelines to provide consistency and promote efficiency in processing insurance licensing fees, applications, certificates, registrations, and renewals.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

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.B. No. 1098, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1697 Finance on S.B. No. 1100

The purpose of this measure is to adopt the National Association of Insurance Commissioners' Insurance Data Security Model Law to establish insurance data security standards for insurance licensees.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs; American International Group, Inc.; American Council of Life Insurers; and Hawaii Captive Insurance Council.

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.B. No. 1100, S.D. 1, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1698 Finance on S.B. No. 1104

The purpose of this measure is to increase the monetary amount an injured homeowner may recover from the Contractors Recovery Fund and increase the maximum amount of liability that may be recovered from the Contractors Recovery Fund per licensed contractor.

Your Committee received testimony in support of this measure from the Contractors License Board. Your Committee received testimony in opposition to this measure from Mark Development, Inc.; Building Industry Association of Hawaii; General Contractors Association of Hawaii; CC Engineering and Construction, Inc.; Statewide General Contracting and Construction, Inc.; and four individuals. Your Committee received comments on this measure from the Subcontractors Association of Hawaii and one individual.

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.B. No. 1104, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1699 Finance on S.B. No. 1342

The purpose of this measure is to include under the offense of promoting gambling in the first degree, the act of engaging in activities in which a person receives or entertains other persons as guests with the intent of advancing gambling activity on real property.

Your Committee did not receive any testimony on 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 is in accord with the intent and purpose of S.B. No. 1342, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (Wildberger). Noes, none. Excused, 1 (McDermott).

SCRep. 1700 Finance on S.B. No. 294

The purpose of this measure is to make the State's civil asset forfeiture process more just by amending the Hawaii Omnibus Criminal Forfeiture Act to:

- (1) Restrict civil asset forfeiture to cases involving the commission of a felony offense where the property owner has been convicted of the underlying felony offense, subject to certain circumstances;
- (2) Direct any forfeiture proceeds to the general fund;
- (3) Amend the allowable expenses for monies in the Criminal Forfeiture Fund;
- (4) Require the Attorney General to adopt rules necessary to carry out the purpose of the Hawaii Omnibus Criminal Forfeiture Act; and
- (5) Amend the deadline for the Attorney General to report to the Legislature on the use of the Hawaii Omnibus Criminal Forfeiture Act.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Americans for Democratic Action Hawai'i, Young Progressives Demanding Action, Common Cause Hawaii, Community Alliance on Prisons, American Civil Liberties Union of Hawai'i, and fifteen individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources, Hawai'i Police Department, Maui Police Department, Department of the Prosecuting Attorney of the County of Maui, Department of the Prosecuting Attorney of the City and County of Honolulu, and Honolulu Police Department. Your Committee received comments on this measure from the Office of Hawaiian Affairs, Department of the Attorney General, Department of Public Safety, and Grassroot Institute 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 is in accord with the intent and purpose of S.B. No. 294, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, 1 (Marten). Excused, 1 (McDermott).

SCRep. 1701 Finance on S.B. No. 384

The purpose of this measure is to clarify that filing fees for tax appeals are nonrefundable and that no deposits are required for tax appeals.

Your Committee received testimony in support of this measure from the Judiciary. Your Committee received comments on this measure from the Department of Taxation and 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 is in accord with the intent and purpose of S.B. No. 384, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1702 Finance on S.B. No. 385

The purpose of this measure is to:

- (1) Enact the 2018 Uniform Trust Code with appropriate amendments to reflect Hawaii law and practice; and
- (2) Repeal the Uniform Trustees' Powers Act, Uniform Prudent Investor Act, and laws regarding trust administration under the Uniform Probate Code.

Your Committee received testimony in support of this measure from the Judiciary and Commission to Promote Uniform Legislation.

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.B. No. 385, S.D. 1, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1703 Finance on S.B. No. 412

The purpose of this measure is to:

- (1) Clarify the implied consent law to make exceptions for giving a breath, blood, or urine test pursuant to a search warrant or any other basis permissible under the Constitution of the State of Hawaii and state law; and
- (2) Exclude the offense of habitually operating a vehicle under the influence of an intoxicant from qualifying for deferred acceptance of a guilty plea or nolo contendere plea.

Your Committee received testimony in support of this measure from the Hawaii Strategic Highway Safety Plan, Office of the Prosecuting Attorney of the County of Hawai'i, Office of the Prosecuting Attorney of the County of Kaua'i, Department of the Prosecuting Attorney of the County of Maui, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawai'i Police Department, Maui Police Department, and Honolulu Police Department. Your Committee received testimony in opposition to this measure from the Office of the Public Defender and Hawai'i Association of Criminal Defense Lawyers.

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.B. No. 412, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (Perruso). Noes, none. Excused, 1 (McDermott).

SCRep. 1704 Finance on S.B. No. 421

The purpose of this measure is to require vacancies in the offices of United States Senators, State Senators, and State Representatives to be filled by special election.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Office of Elections.

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.B. No. 421, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (B. Kobayashi, Tam). Noes, none. Excused, 1 (Perruso).

SCRep. 1705 Finance on S.B. No. 630

The purpose of this measure is to require that every judgment for child support, including a judgment for reimbursement or other debts, shall be enforceable until paid in full.

Your Committee did not receive any testimony on 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 is in accord with the intent and purpose of S.B. No. 630, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1706 Finance on S.B. No. 873

The purpose of this measure is to authorize the use of interactive conference technology for contested case hearings.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, Hawai'i Civil Rights Commission, and Maunakea Observatories. Your Committee received comments on this measure from one individual.

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.B. No. 873, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1707 Finance on S.B. No. 1260

The purpose of this measure is to eliminate the use of monetary bail and require defendants to be released on their own recognizance for traffic offenses, violations, nonviolent petty misdemeanor and misdemeanor offenses, and nonviolent class C felony offenses, upon certain conditions and with specified exceptions.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Office of Hawaiian Affairs; Hawai'i Correctional System Oversight Commission; Young Progressives Demanding Action; United Public Workers, AFSCME Local 646, AFL-CIO; Common Cause Hawaii; Imua Alliance; Americans for Democratic Action Hawai'i; Community Alliance on Prisons; Foresight/Policy Analysis; and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, Retail Merchants of Hawaii, and one individual. Your Committee received comments on this measure from the Judiciary, Hawaii Disability Rights Center, and American Civil Liberties Union of Hawai'i.

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.B. No. 1260, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1708 Finance on S.B. No. 1409

The purpose of this measure is to:

- (1) Prohibit a newly appointed or reappointed council, board, and commission member from serving if the member has not completed, within the requisite time, the required training course related to native Hawaiian and Hawaiian traditional and customary rights, native Hawaiian and Hawaiian natural resource protection and access rights, and the public trust, including the State's trust responsibility;
- (2) Require the Office of Hawaiian Affairs and Department of Land and Natural Resources to compile an annual report of council, board, and commission members who have failed to complete their training course requirement; and
- (3) Require the Office of Hawaiian Affairs to record the training courses and make the recordings available to those who were unable to attend the training course.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Kua'āina Ulu 'Auamo, Ka Huli Ao Center for Excellence in Native Hawaiian Law, and three individuals. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies. Your Committee received comments on this measure from the Department of Land and Natural Resources.

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.B. No. 1409, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (B. Kobayashi). Noes, none. Excused, 1 (McDermott).

SCRep. 1709 Finance on S.B. No. 219

The purpose of this measure is to:

- (1) Impose extended terms of imprisonment for certain offenses against property rights committed when on agricultural land; and

- (2) Appropriate funds to the Department of the Attorney General to establish a statewide Agricultural Theft Task Force to provide law enforcement with tools necessary to identify agricultural theft perpetrators.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawaii Cattlemen's Council, Inc.; Hawai'i Farm Bureau; and Ulupono Initiative. Your Committee received testimony in opposition to this measure from the American Civil Liberties Union of Hawai'i and four individuals. Your Committee received comments on this measure from the Office of Hawaiian Affairs, Office of the Public Defender, and Community Alliance on Prisons.

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.B. No. 219, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (B. Kobayashi, Tam). Noes, 3 (Marten, Perruso, Wildberger). Excused, 1 (McDermott).

SCRep. 1710 Finance on S.B. No. 496

The purpose of this measure is to require the Department of Agriculture, in cooperation with the Office of the Governor, to build upon its strategic planning efforts under Act 151, Session Laws of Hawaii 2019, to identify the top ten fruit and vegetable imports to the State that may be commercially grown by farmers in Hawaii and recommend ways to increase their production.

Your Committee received testimony in support of this measure from Energy Research Systems, Hawai'i Farm Bureau, Climate Protectors Hawai'i, Hawaii Food Industry Association, and two individuals. Your Committee received comments on this measure from the Department of Agriculture and Ulupono Initiative.

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.B. No. 496, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1711 Finance on S.B. No. 791

The purpose of this measure is to amend provisions regarding the designation, impoundment, and disposal of unauthorized, abandoned, grounded, and derelict vessels on state property or in the waters of the State to more quickly address these vessels and relevant proceedings.

Your Committee received testimony in support of this measure from the Hawai'i Reef and Ocean Coalition. Your Committee received comments on this measure from the Department of Land and Natural Resources.

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.B. No. 791, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1712 Finance on S.B. No. 795

The purpose of this measure is to:

- (1) Require the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources to set its small boat harbor mooring and liveaboard fees at fair market value, as determined by a state-licensed appraiser, without separate nonresident fees and cost-of-living adjustments; and
- (2) Allow the Division of Boating and Ocean Recreation an additional option in determining commercial ocean operation fees.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual. Your Committee received testimony in opposition to this measure from Hawaii Ocean News, Wailoa River and Reed's Bay Boating and Users Association Inc., and nine individuals.

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.B. No. 795, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13; Ayes with Reservations (B. Kobayashi, Perruso, Tam). Noes, 1 (Wildberger). Excused, 1 (McDermott).

SCRep. 1713 Finance on S.B. No. 1166

The purpose of this measure is to authorize the Board of Land and Natural Resources to approve rental reductions or waivers for leases that require substantial demolition costs or infrastructure improvement costs in order for the lessee to make productive use of the land.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual. Your Committee received testimony in opposition to this measure from Kūpuna for the Mo'opuna. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

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.B. No. 1166, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13; Ayes with Reservations (Wildberger). Noes, 1 (Perruso). Excused, 1 (McDermott).

SCRep. 1714 Finance on S.B. No. 1313

The purpose of this measure is to:

- (1) Establish, no later than January 1, 2023, a pilot project in the Division of Aquatic Resources of the Department of Land and Natural Resources to restock northern largemouth bass, butterfly peacock bass, or both, in the Wahiawa public fishing area in central Oahu; and
- (2) Require the Division of Aquatic Resources to apply to the Department of Agriculture for the permit to import the northern largemouth bass and work with another public entity or partner with a private entity to accomplish the pilot project.

Your Committee received testimony in support of this measure from the Hawaii Freshwater Fishing Association, Wahiawa Community Based Development Organization, and fifteen individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and Department of Agriculture.

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.B. No. 1313, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, 2 (Perruso, Wildberger). Excused, 1 (McDermott).

SCRep. 1715 Judiciary & Hawaiian Affairs on S.B. No. 1327

The purpose of this measure is to amend or repeal various provisions of the Hawaii Revised Statutes or the Session Laws of Hawaii for the purposes of correcting errors and references, clarifying language, or deleting obsolete or unnecessary provisions.

Your Committee received testimony in support of this measure from the Legislative Reference Bureau.

Your Committee finds that this statutory revision measure is submitted by the Legislative Reference Bureau pursuant to Chapter 23G, Hawaii Revised Statutes. All of the statutory amendments proposed by this measure are intended to be technical in nature to correct errors, omissions, or obsolete laws.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1327, S.D. 1, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 1716 Judiciary & Hawaiian Affairs on S.B. No. 153

The purpose of this measure is to:

- (1) Prohibit any person whose driver's license has been administratively revoked or who has been convicted for offenses involving operating a vehicle under the influence of an intoxicant from being eligible for a driver's license without providing proof of compliance with the ignition interlock law;
- (2) Require the Director of Transportation to contract with the selected ignition interlock vendor to provide at no cost for the installation and periodic calibration charges to certain offenders who apply for assistance; and
- (3) Require a person who does not own or have the use of a vehicle in which the person can install an ignition interlock device during the revocation period or is otherwise unable to drive during the revocation period to be absolutely prohibited from driving during a period of time equal to twice that of the applicable revocation period.

Your Committee received testimony in support of this measure from Casanova Powell Consulting, AAA Hawaii, Smart Start LLC, Mothers Against Drunk Driving Hawaii, The Foundation for Advancing Alcohol Responsibility, Traffic Injury Research Foundation, and two individuals. Your Committee received testimony in opposition to this measure from the Department of Transportation and Office of the Public Defender. Your Committee received comments on this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that ignition interlock devices play a direct role in preventing an individual from being a repeat offender of driving while under the influence of an intoxicant. Your Committee believes that these devices are effective at keeping roads safe and ensuring that offenders have complied with ignition interlock devices laws. This measure will protect the public from repeat offenders who put themselves and others at risk when they decide to drive under the influence of an intoxicant by expanding on the existing ignition interlock device law.

Your Committee has amended this measure by:

- (1) Amending the eligibility for a driver's license upon providing proof of compliance with the ignition interlock law to apply to persons who have installed an ignition interlock device in any vehicle operated by the person, instead of all vehicles that the person owns or drives;
- (2) Deleting language that would have required the Director of Transportation to contract with the selected ignition interlock vendor to provide at no cost for the installation and periodic calibration charges to certain offenders who apply for assistance;
- (3) Amending the period of time that a person who does not own or have the use of a vehicle in which the person can install an ignition interlock device during the revocation period or is otherwise unable to drive during the revocation period is absolutely prohibited from driving to a period of two years; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 153, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 153, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 1717 Judiciary & Hawaiian Affairs on S.B. No. 157

The purpose of this measure is to broaden the eligibility for determining who may solemnize marriages by authorizing any individual at least eighteen years of age to solemnize marriage through civil licenses.

Your Committee received testimony in support of this measure from the Department of Health, Rainbow Family 808, LGBT Caucus of the Democratic Party of Hawaii, and two individuals.

Your Committee finds that under existing law, only clergy, religious societies, justices, judges, and magistrates are authorized to solemnize marriages. However, the right to marry belongs to all citizens, regardless of their moral beliefs or religious creed. This measure will allow persons without any religious affiliation to perform the marriage rite.

Your Committee has amended this measure by:

- (1) Clarifying that an individual performs and solemnizes the marriage rite pursuant to a civil license upon the presentation to the individual of a license to

marry in accordance with existing law;

- (2) Specifying that individuals with a civil license to solemnize a marriage may receive the price stipulated by the parties or the gratification tendered;
- (3) Specifying that the fee for a civil license to solemnize marriages is \$100 per year the permit is valid; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 157, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 157, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 1718 Judiciary & Hawaiian Affairs on S.B. No. 189

The purpose of this measure is to repeal the requirement that a dog has bitten a human being on at least two separate occasions before any person may bring an action to determine whether conditions of treatment or confinement have changed so as to remove the danger the dog poses to other persons.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that under existing law, a person may bring an action in court to inquire into the conditions of treatment or confinement of a dog that has bitten a human being only if the dog has bitten a human being on at least two separate occasions. Your Committee further finds that this requirement may be difficult to assess as many incidents of dog bites go unreported. This measure will allow an individual to inquire into the conditions of treatment or confinement of a dog without the burdensome requirement of proving two separate occasions on which the dog bit a human being.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 189, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 189, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 1719 Judiciary & Hawaiian Affairs on S.B. No. 413

The purpose of this measure is to exclude the offense of violation of privacy in the first degree, and certain subsections of violation of privacy in the second degree, from qualifying for deferred acceptance of a guilty plea or nolo contendere plea.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and Honolulu Police Department. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that due to the serious nature of certain privacy violations involving other people's intimate activities, private communications, or intimate areas of the body, without consent, offenders should not be eligible for deferred pleas.

Your Committee has amended this measure by changing the effective date to July 1, 3021, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 413, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 413, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (McKelvey). Noes, 1 (Nakamura). Excused, 1 (D. Kobayashi).

SCRep. 1720 Judiciary & Hawaiian Affairs on S.B. No. 639

The purpose of this measure is to prohibit courts of appeal from affirming, modifying, reversing, or vacating a matter on grounds other than those raised by the parties to the proceeding, unless the parties are provided the opportunity to brief the court.

Your Committee received testimony in opposition to this measure from the Judiciary. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that this measure will ensure due process during the appeals process and permit parties, rather than the appellate court, to litigate their cases.

Your Committee has amended this measure by:

- (1) Amending its purpose section;
- (2) Requiring a rehearing to be ordered upon timely petition of any party if the court fails to afford the opportunity for the parties to submit supplemental briefing; and
- (3) Changing the effective date to July 1, 3021, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 639, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 639, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Takumi).

SCRep. 1721 Judiciary & Hawaiian Affairs on S.B. No. 726

The purpose of this measure is to:

- (1) Require officers serving a warrant to declare the officer's office and business and wait thirty seconds before entry into a house, store, or other building, subject to certain circumstances; and
- (2) Require officers serving a warrant issued by a district court to do so in uniform.

Your Committee received testimony in support of this measure from the Office of the Public Defender, one member of the Kauaʻi County Council, Hawaiʻi Health & Harm Reduction Center, The Drug Policy Forum of Hawaiʻi, Young Progressives Demanding Action, LGBT Caucus of the Democratic Party of Hawaii, American Civil Liberties Union of Hawaiʻi, Americans for Democratic Action Hawaiʻi, Community Alliance on Prisons, AF3IRM Hawaiʻi, Ohana Hoʻopakele, YWCA Oʻahu, Planned Parenthood Alliance Advocates - Hawaiʻi, Rare Disease Hawaii, Techmana LLC, and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, and two individuals.

Your Committee finds that this measure will prohibit the usage of no-knock raids in which law enforcement officers forcibly enter a dwelling without knocking or announcing their presence. According to the New York Times, ninety-four people, eighty-one of whom were members of the public, died between 2010 and 2016 as a result of no-knock or quick-knock raids. In response to the dangerousness of no-knock raids, three other states have expressly banned the use of these raids. Although this measure will provide greater protection from intrusive and dangerous policing practices, your Committee recognizes that exigent circumstances may sometimes exist that justify the use of quick-knock raids.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that officers or persons serving a warrant must use an audible voice, instead of a loud voice;
- (2) Clarifying that officers are not required to wait thirty seconds before entry into a house, store, or other building if exigent circumstances exist that cause waiting to be hazardous or otherwise impracticable;
- (3) Requiring that officers serving a warrant issued by a district court do so in an authorized uniform and wear and use a body-worn video camera;
- (4) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 726, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 726, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Tokioka). Noes, none. Excused, none.

SCRep. 1722 Judiciary & Hawaiian Affairs on S.B. No. 1042

The purpose of this measure is to:

- (1) Require persons who remain in Hawaii for more than ten days or for an aggregate period of more than thirty days per year and are subject to registration or community or public notification requirements as covered offenders or sexual offenders in another state or jurisdiction to register as a covered offender in Hawaii, regardless of whether the out-of-state conviction is a covered offense under Hawaii law; and
- (2) Amend the registration requirements for persons who establish or maintain a residence in Hawaii and are subject to registration or community or public notification requirements as covered offenders or sexual offenders in another state or jurisdiction.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Public Safety, and Department of the Prosecuting Attorney of the County of Maui.

Your Committee finds that the Hawaii Supreme Court recently ruled that, under existing law, a person who visits Hawaii for more than ten days or for more than thirty days per year does not need to register as a covered offender in Hawaii if the person's out-of-state conviction does not correspond to a covered offense under existing Hawaii law. This measure will better ensure compliance with the purpose and intent of Hawaii's covered offender registration laws.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1042, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1042, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 1723 Judiciary & Hawaiian Affairs on S.B. No. 1050

The purpose of this measure is to add the Department of the Attorney General to the list of agencies that are authorized to conduct criminal history record checks on current or prospective employees or employees or agents of contractors who have access to federal tax information.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Taxation, Department of Human Resources Development, and one individual.

Your Committee finds that the Internal Revenue Service requires that background checks be performed on all current and prospective employees and contractors who receive access to federal tax information. These background checks must be comprehensive and include a state and Federal Bureau of Investigation fingerprint-based background check. Your Committee further finds that the Department of the Attorney General requires additional authorization, as provided by this measure, to comply with this requirement.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1050, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1050, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 1724 Education on S.C.R. No. 9

The purpose of this measure is to convene a task force to address implementation of Hawaii's state law corollary to Title IX to strengthen Hawaii's efforts to end campus-based sexual violence and gender discrimination.

Your Committee received testimony in support of this measure from the Department of Education, Hawai'i Civil Rights Commission, Planned Parenthood Alliance Advocates, Women's Caucus of the Democratic Party of Hawai'i, American Association of University Women of Hawaii, Hawaii Women's Coalition, Democratic Party of Hawai'i Education Caucus, Imua Alliance, The Every Voice Coalition, and four individuals. Your Committee received testimony in support of the intent of this measure from the University of Hawai'i System.

Your Committee finds that, under the previous United States presidential administration, several changes were proposed to Title IX of the federal Education Amendments of 1972, which prohibits sex-based discrimination in any school that receives federal money. These changes include reducing the number of complaints involving sexual harassment and other forms of sexual misconduct that currently fall within the purview of Title IX and limit the scope of educational institutions' liability for complaints of sexual harassment.

Your Committee further finds that, in response to the intended policy changes to Title IX of the federal Education Amendments of 1972 by the previous United States presidential administration, the Legislature passed, and the Governor signed into law, Act 110, Session Laws of Hawaii 2018, which established a state law corollary to Title IX that prohibits sex-based discrimination in state-administered or state-funded educational programs or activities, including discrimination based on sexual orientation, gender identity, and gender expression. Your Committee believes that the convening of a task force is needed to address any potential conflicts between Hawaii's state law corollary and any recent or future changes to the Title IX regulations to strengthen the State's efforts to end campus-based sexual violence and gender discrimination.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 9, S.D. 2, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 4 (DeCoite, Gates, Ohno, Quinlan).

SCRep. 1725 Education on S.C.R. No. 38

The purpose of this measure is to urge the Department of Education School Food Services Branch to adopt an addendum to its agreements for the 'Aina Pono Hawaii State Farm To School Program to require the procurement of goods and services from food hubs.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Department of Research and Development of the County of Hawaii, Hawai'i Farm Bureau, Hawai'i Public Health Institute, and one individual. Your Committee received testimony in support of the intent of this measure from the Department of Education.

Your Committee finds that Act 218, Session Laws of Hawaii 2015, established a farm to school program within the Department of Agriculture to address the issues of supply, demand, procurement, and consumption of Hawaii-grown foods in state facilities, primarily education facilities, and take reasonable steps to incorporate more agriculture and nutrition education in schools. Your Committee further finds that the Department of Education and Office of the Lieutenant Governor rebranded the farm to school program as the 'Aina Pono Hawaii State Farm to School program in 2018 to unite the Department of Education School Food Services Branch's existing health and nutrition education programs, such as 'Aina Pono Harvest of the Month, test kitchens, meal programs, menu planning, and school gardens.

Your Committee additionally finds that farmers in Hawaii face many obstacles on their way to achieving economic sustainability. Your Committee notes that food hubs provide these small to mid-sized farmers and producers with facilities for aggregation, storage, processing, distribution, and marketing support. This measure seeks to increase the procurement of goods and services from local food hubs by the Department of Education for schools.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 38, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 4 (DeCoite, Gates, Ohno, Quinlan).

SCRep. 1726 Education on S.C.R. No. 100

The purpose of this measure is to request the Department of Education to provide free menstrual products to students on all Hawaii public school campuses.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, Planned Parenthood Alliance Advocates, American Association of University Women of Hawaii, Hawaii State Teachers Association, Ma'i Movement Hawai'i, Hawai'i Women's Coalition, I Support The Girls Hawaii, and numerous individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that, according to the nationwide survey conducted by Always of Procter and Gamble, since the beginning of the COVID-19 pandemic, one out of three parents are worried about their ongoing ability to afford menstrual products. Your Committee further finds that a 2016 New York City pilot program found that access to free menstrual products in public schools increased attendance by 2.4 percent, leading to a package of legislation providing free access to menstrual products for New York City's students. This measure requests the Department of Education to also provide free menstrual products to students in Hawaii's public schools.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 100 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 4 (DeCoite, Gates, Ohno, Quinlan).

SCRep. 1727 Education on S.C.R. No. 151

The purpose of this measure is to encourage the Department of Education, complex areas, and charter schools to implement school-wide restorative justice initiative practices in Hawaii's public and charter schools.

Your Committee received testimony in support of this measure from the Department of Education; We Are One, Inc.; and thirteen individuals.

Your Committee finds that restorative justice practices are a values-based approach to community building, problem solving, and conflict resolution that builds and restores relationships, creates opportunities for dialogue, repairs harm, transforms conflict, and creates equitable learning environments in schools.

Studies have shown that restorative justice practices can lead to reductions in problem behavior, improvements in school climate, and increases in student achievement, attendance, and graduation rates. Your Committee believes that implementing restorative justice practices in state schools will create a positive learning environment in the schools for students.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 151, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Okimoto). Noes, none. Excused, 4 (DeCoite, Gates, Ohno, Quinlan).

SCRep. 1728 Education on S.C.R. No. 152

The purpose of this measure is to urge the Department of Education to coordinate with the Department of Commerce and Consumer Affairs to implement a graduation requirement of at least a half credit in financial literacy during the junior year or senior year.

Your Committee received testimony in support of this measure from the Hawaii Credit Union League; Visa Inc.; Next Gen Personal Finance; and two individuals. Your Committee received testimony in support of the intent of this measure from the Department of Education.

Your Committee finds that financial literacy is the capacity, based on knowledge, skills, and access, to manage financial resources effectively. Your Committee further finds that the lack of financial literacy education significantly limits social and income mobility of students from moderate- and low-income communities. Your Committee notes that the Department of Education, in coordination with the Department of Commerce and Consumer Affairs, offers several financial literacy materials and instruction, but lacks a comprehensive financial literacy standard and curriculum. Your Committee believes the implementation of a financial literacy graduation requirement will provide students with practical information on matters relating to finances and empower students to better manage their money as adults.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 152 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 4 (DeCoite, Gates, Ohno, Quinlan).

SCRep. 1729 Education on S.C.R. No. 198

The purpose of this measure is to urge the Department of Education to include civic online reasoning and media literacy in its information technology curriculum.

Your Committee received testimony in support of this measure from the Department of Education.

Your Committee finds that teaching civic online reasoning and media literacy prepares students for judging the credibility of the media and online sources. Your Committee notes that studies have shown that many students have failed to effectively evaluate the credibility of information and should be given the tools to seek and evaluate information to distinguish truths from falsehoods. According to a study conducted by Stanford University researchers, when it comes to evaluating information that flows through social media channels, children are easily misled. This measure urges the Department of Education to include civic online reasoning and media literacy in its information technology curriculum to provide students with the opportunity to develop sound digital citizenship and become media literate.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 198 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 4 (DeCoite, Gates, Ohno, Quinlan).

SCRep. 1730 Education on S.C.R. No. 203

The purpose of this measure is to urge the Board of Education to form a special committee or permitted interaction group to monitor and account for how the Department of Education is spending its federal relief funds.

Your Committee received testimony in support of this measure from the Hui for Excellence in Education, Hawaii State Teachers Association, and two individuals.

Your Committee finds that the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law 116-136, created the Education Stabilization Fund to provide emergency funding for education systems, and within that fund is the Elementary and Secondary School Emergency Relief (ESSER) Fund, which awards funds to states based on their relative share of Elementary and Secondary Education Act (ESEA) grants for fiscal year 2019. Your Committee further finds that in May 2020, the Department of Education applied for Hawaii's share of relief funds from the United States Department of Education and received \$43,385,229.

Your Committee additionally finds that on December 21, 2020, Congress passed the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, Public Law 116-260, 2021, which authorized \$900,000,000,000 in stimulus relief through various programs and a \$1,400,000,000,000 omnibus spending package. Your Committee notes that states that received certain federal funds, including funds from the ESSER Fund established by the CARES Act and the CRRSA Act, are required to assure that they will maintain support for education programs. Although the Department of Education has reported its use of ESSER funds on a monthly basis, there has been a lack of transparency and accountability in how the Department of Education and their schools have utilized their funds to service students. Furthermore, there are ongoing concerns with the manner in which the Department of Education has been utilizing these ESSER funds, as well as disagreements between the Board of Education and Department of Education on how funds should be spent. This measure urges the Board of Education to form a group to oversee the use of those federal funds and ensure that there is transparency and accountability in how the Department of Education and their schools utilize the funds to service students.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 203 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 4 (DeCoite, Gates, Ohno, Quinlan).

SCRep. 1731 Energy & Environmental Protection on S.C.R. No. 23

The purpose of this measure is to urge the Department of Health's Environmental Management Division to ensure that destinations to which the State's

recyclable waste is transported for out-of-state processing abide by the environmental standards as outlined by the Basel Convention.

Your Committee received testimony in support of this measure from the Department of Health, Environmental Caucus of the Democratic Party of Hawai'i, Hawaii Food Industry Association, and two individuals.

Your Committee finds that much of the recyclable waste that is shipped from Hawaii to destinations in the United States is subsequently sent overseas for end-of-life processing, where it may be handled in a manner that causes harm to human health and local environments. This measure would ensure that the State's recyclable waste is processed in a manner that aligns with certain health and safety standards.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 23, S.D. 1, and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Matayoshi, Todd).

SCRep. 1732 Energy & Environmental Protection on S.C.R. No. 44

The purpose of this measure is to declare a climate emergency and request statewide collaboration toward an immediate just transition and emergency mobilization effort to restore a safe climate.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Office of Planning, City and County of Honolulu Board of Water Supply, one member of the Maui County Council, one member of the Hawai'i County Council, Environmental Caucus of the Democratic Party of Hawai'i, Hawai'i Youth Climate Coalition, The Climate Mobilization, Kauai Climate Action Coalition, Americans for Democratic Action, Sustainable Energy Hawai'i, Big Island Electric Vehicle Association, Hawaii Electric Vehicle Association, Clean the Pacific, Our Revolution Hawaii, 350Hawaii.org, Surfrider Foundation Hawai'i Region, Hawai'i Alliance for Progressive Action, Kaua'i Women's Caucus, Climate Protectors Coalition, Zero Waste Kaua'i, Hawai'i Reef and Ocean Coalition, Pono Hawai'i Initiative, HI Strikes Back, Surfrider Foundation Kaua'i, Mālama Kaua'i, Community Coalition Kaua'i, Wailua-Kapa'a Neighborhood Association, Citizens' Climate Lobby Hawaii, Climate Protectors Hawai'i, Think B.I.G., and numerous individuals. Your Committee received comments on this measure from the Hawaii Emergency Management Agency and Hawaiian Electric Company.

Your Committee finds that a rise in the average global air temperature has resulted in larger and stronger hurricanes, increased drought and flooding, shifting rain patterns, more and larger wildfires, a hotter and more acidic ocean, and damaged ecosystems, both marine and terrestrial, across the planet. This measure highlights the urgency and importance of statewide collaboration to mitigate the effects of climate change in the State.

Your Committee has amended this measure by:

- (1) Deleting certain provisions relating to the requested climate mitigation and adaptation efforts to restore a safe climate; and
- (2) 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 Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 44, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 44, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Matayoshi, Todd).

SCRep. 1733 Energy & Environmental Protection on S.C.R. No. 56

The purpose of this measure is to request all state agencies to convene and participate in the Hawaii Circular Task Force that supports Hawaii's transition toward a circular economy by 2035.

Your Committee received testimony in support of this measure from the Office of Planning; Kaulana Na Pua, Inc.; Ka Ohana O Na Pua; Ali'i Pauahi Hawaiian Civic Club; Environmental Caucus of the Democratic Party of Hawai'i; Consulting Offices of Duke Bourgoin; Clean the Pacific; Kauai Climate Action Coalition; KaPA'A; Climate Protectors Hawai'i; Surfrider Foundation; Waianae Economic Development Council; and numerous individuals.

Your Committee finds that Hawaii is a leader in combating climate change and setting ambitious renewable energy goals and has the potential to model an economy rooted in centuries of island-based values. This measure helps the State strive toward a circular economic model that promotes sustainable practices, environmental health, and community well-being.

Your Committee has amended this measure by:

- (1) Inserting language that requests the Governor to convene and participate in the Hawaii Circular Economy Task Force;
- (2) Specifying the members of the task force;
- (3) Amending its title to read, "REQUESTING THE GOVERNOR TO CONVENE AND PARTICIPATE IN THE HAWAII CIRCULAR ECONOMY TASK FORCE THAT SUPPORTS HAWAII'S TRANSITION TOWARD A CIRCULAR ECONOMY BY 2035."; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 56, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 56, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Matayoshi, Todd).

SCRep. 1734 Energy & Environmental Protection on S.C.R. No. 61

The purpose of this measure is to reaffirm the State's commitment to combat climate change and prioritize climate change legislation.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Planning, Environmental Caucus of the Democratic Party of Hawai'i, Clean the Pacific, Climate Protectors Hawaii, and four individuals. Your Committee received comments on this measure from the Hawaii Emergency Management Agency.

Your Committee finds that the State is particularly vulnerable to natural disasters exacerbated by climate change. This measure highlights the State's commitment to mitigate the effects of climate change in the State, achieve its clean energy goals, properly resource conservation and ecological restoration efforts, and increase awareness of the climate crisis.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 61, S.D. 1, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Matayoshi, Todd).

SCRep. 1735 Energy & Environmental Protection on S.C.R. No. 186

The purpose of this measure is to designate April as Tree Awareness Month in the State.

Your Committee received testimony in support of this measure from Trees for Honolulu's Future and two individuals.

Your Committee finds that trees have been identified as an important tool to combat global climate change, reduce society's carbon footprint, and help communities become healthier. This measure builds awareness of the many benefits of trees and provides community building and educational and economic opportunities through related events.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 186, S.D. 1, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Matayoshi, Todd).

SCRep. 1736 Pandemic & Disaster Preparedness on S.C.R. No. 111

The purpose of this measure is to request the Hawaii Emergency Management Agency to convene a task force to study and identify appropriate stockpile storage facility options to store and distribute emergency supplies.

Your Committee received comments on this measure from the Hawaii Emergency Management Agency and Hawaii Technology Development Corporation.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic severely limited the State's inventories of personal protective equipment and other medical products and supplies. The COVID-19 pandemic has proven that local medical facilities can easily be overrun and emergency resources can quickly be depleted during a pandemic or other natural or human-caused emergencies. This measure ensures that the State will have the facilities necessary to help mitigate any impacts on the State's supply of necessary resources by gathering experts to determine storage facility options for emergency supplies.

Your Committee has amended this measure by:

- (1) Changing the representative on the task force from the Director of the Hawaii Emergency Management Agency to its Administrator;
- (2) Clarifying that the representative on the task force from the Department of the Defense is the Adjutant General or the Adjutant General's designee; 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 Pandemic & Disaster Preparedness that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 111, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 111, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 4 (McKelvey, Woodson, Yamashita, Ward).

SCRep. 1737 Pandemic & Disaster Preparedness on S.C.R. No. 169

The purpose of this measure is to urge the Governor to create a task force to develop recommendations on the roles and responsibilities of the Department of the Attorney General and law enforcement in enforcing the emergency proclamations to mitigate the spread of the coronavirus disease 2019.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and one individual. Your Committee received comments on this measure from the Department of the Attorney General and Hawaii Emergency Management Agency.

Your Committee finds that in order to mitigate the spread of the coronavirus disease 2019 (COVID-19) in the State, the Governor and mayors exercised their emergency powers granted under law to implement various restrictions and safety requirements. Existing law only provides the Governor and mayors the ability to establish misdemeanor offenses, which has put a heavy burden on the criminal justice system. This has led to the Honolulu Police Department alone issuing roughly sixty thousand citations for emergency proclamation violations. Your Committee further finds that enforcement of the Governor's emergency orders is largely on the honor system, dependent on the deterrent effect of potential penalties. This measure is necessary to determine a better means of enforcement for state and local law enforcement to provide a safer environment for residents and visitors of the State.

Your Committee has amended this measure by:

- (1) Amending its title to read, "URGING THE GOVERNOR TO CREATE A TASK FORCE TO DEVELOP RECOMMENDATIONS ON THE ROLES AND RESPONSIBILITIES OF THE DEPARTMENT OF THE ATTORNEY GENERAL AND LAW ENFORCEMENT IN ENFORCING EMERGENCY PROCLAMATIONS TO MITIGATE THE FURTHER SPREAD OF THE CORONAVIRUS DISEASE 2019 IN HAWAII."; and
- (2) 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 Pandemic & Disaster Preparedness that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 169, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as S.C.R. No. 169, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 4 (McKelvey, Woodson, Yamashita, Ward).

SCRep. 1738 Pandemic & Disaster Preparedness on S.C.R. No. 5

The purpose of this measure is to recognize the importance of twenty-first century data governance for fact-based policymaking.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Office of Enterprise Technology Services; Hawaiian Affairs Caucus of the Democratic Party of Hawai'i; Hawai'i Children's Action Network Speaks!; 'Ahahui o nā Kauka; Queen's Health Systems; Spoehr Foundation; Hawai'i Friends of Civil Rights; InterAgency Council for Immigrants and Refugees; Papa Ola Lōkahi; Kūpuna for the Mo'opuna; Hawai'i Coalition for Immigrant Rights; Medical-Legal Partnership for Children in Hawai'i; Native Hawaiian and Pacific Islander Hawai'i COVID-19 Response,

Recovery and Resilience Team; Hawaii Appleseed Center for Law and Economic Justice; and numerous individuals.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic has impacted the State in various ways, such as the community's health, employment, and housing security. COVID-19 has also impacted the State's Native Hawaiian and Pacific Islander population in ways that are still trying to be understood. Efforts to better determine and address the effects of COVID-19 on Native Hawaiian and Pacific Islanders have been hindered by insufficient and inconsistent demographic data collection, processing, retention, and sharing by critical government entities. This measure will improve data governance and help the State develop data-driven, fact-based, and well-tailored policies and interventions to address the unique needs of Native Hawaiian and Pacific Islander communities.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 5 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 3 (McKelvey, Woodson, Ward).

SCRep. 1739 Pandemic & Disaster Preparedness on S.C.R. No. 69

The purpose of this measure is to request the Hawaii Emergency Management Agency to develop an evacuation plan for areas within lava zones 1, 2, 3, 4, and 6.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council. Your Committee received comments on this measure from the Hawaii Emergency Management Agency and one individual.

Your Committee finds that Mauna Loa is the largest active volcano on the planet and that the Kilauea volcano is currently erupting with lava pouring into the lava lake within Halemaumau Crater. There are numerous volcanic hazards associated with Mauna Loa and Kilauea for the County of Hawaii and these hazards require a collective effort to mitigate any impact to the people of the County of Hawaii. This measure would ensure the safety of residents and visitors of the County of Hawaii by requesting the Hawaii Emergency Management Agency to develop an evacuation plan for certain areas within the lava zone.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 69 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 4 (McKelvey, Woodson, Yamashita, Ward).

SCRep. 1740 Pandemic & Disaster Preparedness on S.C.R. No. 95

The purpose of this measure is to request the Governor to convene a working group to develop recommendations for effective communications with limited English proficient persons and persons with disabilities for emergencies and natural disasters.

Your Committee received testimony in support of this measure from the Judiciary, Department of Human Services, Disability and Communication Access Board, Office of Enterprise Technology Services, Office of Language Access, Hawai'i Friends of Civil Rights, Ethnic Education Hawai'i, Hawai'i Coalition for Immigrant Rights, Medical-Legal Partnership for Children in Hawai'i, and five individuals. Your Committee received comments on this measure from the Hawaii Emergency Management Agency and State Council on Developmental Disabilities.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic revealed the gaps in the State's ability to provide meaningful access to limited English proficient persons and persons with disabilities. One in nine people in the State are classified as limited English proficient persons, one of the highest proportions of non-English speakers in the nation. Your Committee further finds that language access is a civil right protected by federal and state laws. The State has been repeatedly cited for its failure to provide language accessible services. This measure is necessary to ensure that meaningful access to necessary services during an emergency or natural disaster is provided in an efficient and effective manner to limited English proficient persons and persons with disabilities.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 95, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 4 (McKelvey, Woodson, Yamashita, Ward).

SCRep. 1741 Pandemic & Disaster Preparedness on S.C.R. No. 154

The purpose of this measure is to encourage the Governor to maintain teachers and school-level personnel as essential workers during a pandemic when contemplating emergency furloughs and layoffs.

Your Committee received testimony in support of this measure from two individuals.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic has drastically changed the State's education system, ultimately forcing teachers, school-level personnel, and students to adjust to remote online learning and blended classes. In addition to the impact on the education system in the State, the COVID-19 pandemic further devastated the economy, thereby requiring the State to look at making potential cuts to the State's budget, including furloughing teachers and other school-level personnel. Teachers play a vital role in providing education to the youth of the State and other school-level personnel provide the necessary support to ensure that the youth receive a quality education. This measure is necessary to ensure that teachers and other school-level personnel are considered essential workers to avoid any potential furloughs or layoffs during a state of emergency in order to provide quality education in the State.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 154, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 4 (McKelvey, Woodson, Yamashita, Ward).

SCRep. 1742 Pandemic & Disaster Preparedness on S.C.R. No. 171

The purpose of this measure is to urge all law enforcement officers and prosecuting attorneys in the State to vigorously enforce and prosecute offenses committed against essential workers while on the job.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; UNITE HERE! Local 5; International Brotherhood of Electrical Workers Local 1260; International Union of Painters and Allied Trades, District Council 50;

International Longshore and Warehouse Union Local 142; United Public Workers, AFSCME Local 646, AFL-CIO; Hawaii State AFL-CIO; and one individual.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic's devastating effect on public health and the economy has given rise to the public's reliance on workers of essential services. Essential workers often engage in face-to-face interaction with the public and are called upon to enforce government-imposed restrictions and rules. This has led to unwarranted harassment and sometimes physical confrontation between essential workers and the public. This measure is necessary to provide essential workers protection, thereby ensuring the continuation of essential services during the pandemic.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 171 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 3 (McKelvey, Woodson, Ward).

SCRep. 1743 Corrections, Military, & Veterans on S.C.R. No. 25

The purpose of this measure is to request the Department of Public Safety to allow faith pods based on kapu aloha to be established within each correctional center.

Your Committee received testimony in support of this measure from the Department of Public Safety, Malu 'Aina, Ohana Ho'opakele, Hawai'i Peace and Justice, and six individuals.

Your Committee finds that incarcerated individuals have initiated Hawaiian cultural programs within different correctional systems known as faith pods throughout the nation to help promote safe spaces to heal and regain their identity as Hawaiians. Your Committee further finds that Act 117, Session Laws of Hawaii 2012, sought to "[r]educe recidivism, prevent crime, and ensure long-term positive change by developing a plan to create a wellness center that reestablishes highly recognized native Hawaiian cultural practices to restore the overall well-being of persons, families, and the native Hawaiian community". This measure supports that goal.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 25, S.D. 1, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1744 Corrections, Military, & Veterans on S.C.R. No. 47

The purpose of this measure is to urge the Department of Veterans Affairs to recognize a presumptive service connection for chronically ill veterans who were stationed at Kunia Field on the island of Oahu, and to provide medical care and long-term services regardless of the veterans' ability to conclusively link their conditions to toxic exposure.

Your Committee received testimony in support of this measure from three individuals.

Your Committee finds that Kunia Field Station was constructed on Oahu during World War II to serve as an underground bomb-proof aircraft assembly plant. Kunia Field Station is located under former pineapple fields near Wheeler Army Airfield and Schofield Barracks. Your Committee further finds that a report issued by the Environmental Protection Agency in 1992 found multiple contaminants in groundwater and soil at the Kunia Field Station site. In addition, a report by the Navy and National Security Agency in 2000 indicated the presence of arsenic and lead in the field station's air intake system, as well as moderate to high levels of fungal contamination due to air ventilation problems and high moisture levels. Your Committee also finds that many veterans who were stationed at Kunia Field Station have developed chronic illnesses, and they and their advocates argue that they have been denied access to the government records needed to conclusively link their illnesses to toxic exposure. This measure urges the Department of Veterans Affairs to recognize a presumptive service connection to allow ill veterans to receive the medical care and long-term services they need.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 47, S.D. 1, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1745 Corrections, Military, & Veterans on S.C.R. No. 103

The purpose of this measure is to urge the United States military to clean up munitions and explosives of concern in Hawaii under the Military Munitions Response Program.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Chamber of Commerce Hawaii, and one individual.

Your Committee finds that Congress established the Military Munitions Response Program in 2001 to address munitions-related concerns, including explosive safety, environmental and health hazards from releases of unexploded ordnance, discarded military munitions, and munitions constituents found at locations other than operational ranges on active and Base Realignment and Closure installations and formerly used defense sites properties. Your Committee further finds that certain areas of Hawaii were used for military training exercises that resulted in large quantities of munitions and explosives being deposited on the ground. Your Committee also finds that remediation efforts should focus on restoring the land rather than rendering it inaccessible whenever possible.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 103, S.D. 1, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1746 Corrections, Military, & Veterans on S.C.R. No. 73

The purpose of this measure is to urge the Hawaii Department of Defense to continue to operate the Hawaii National Guard Youth Challenge Academy's Hilo campus.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that the Hawaii National Guard Youth Challenge Academy's goal is to provide the State with a premier progressive alternative school for "at-promise" youth that focuses on lessons in character, education, moral values, life-coping skills, and responsible citizenship. Your Committee further

finds that the Academy's Hilo campus has been successful in dissuading at-risk youth from causing harm to others and themselves and is especially important because of the limited resources available to at-risk youth from east Hawaii island. Due to the important role the Hilo campus plays for Hawaii's youth, this measure urges the Hawaii Department of Defense to continue operating the program at the Hilo campus.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 73 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1747 Corrections, Military, & Veterans on S.C.R. No. 107

The purpose of this measure is to request the Department of Public Safety to identify and correct issues and dismantle barriers relating to the provision of civil identification documents to, and successful community reentry of, inmates exiting incarceration.

Your Committee received testimony in support of this measure from the Department of Public Safety, Office of Hawaiian Affairs, American Civil Liberties Union of Hawai'i, and one individual.

Your Committee finds that the Department of Public Safety is statutorily required under part III of chapter 353H, Hawaii Revised Statutes, to provide comprehensive and effective reentry planning for adults exiting correctional facilities, subject to the availability of funding. The Department is also required to assist inmates, upon request, to obtain their civil identification documents to aid in their reentry. Your Committee finds that, despite these requirements, many inmates are exiting incarceration without identification documents, making it difficult to obtain the housing and employment essential to successfully take part in their community. Accordingly, your Committee finds that an increased emphasis on reentry programs and the provision of civil identification documents by the Department is needed.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 107 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1748 Corrections, Military, & Veterans on S.C.R. No. 108

The purpose of this measure is to urge the Department of Public Safety to increase its investment in comprehensive offender reentry training programs for individuals exiting correctional facilities.

Your Committee received testimony in support of this measure from the Department of Public Safety, Office of Hawaiian Affairs, Young Women's Christian Association of Oahu, American Civil Liberties Union of Hawai'i, and one individual.

Your Committee finds that the Department of Public Safety is statutorily required under part III of chapter 353H, Hawaii Revised Statutes, to provide comprehensive and effective reentry planning for adults exiting correctional facilities, subject to the availability of funding. The Department is also required to notify inmates of the availability of assistance and assist inmates, upon request, to obtain their civil identification documents to aid in their reentry. Your Committee finds an increased emphasis on reentry programs by the Department is needed.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 108 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1749 Corrections, Military, & Veterans on S.C.R. No. 195

The purpose of this measure is to urge the United States Congress to amend title 10 United States Code section 1414 to permit all retired American veterans who have a service-connected disability to receive concurrent retirement and disability payments regardless of the veteran's disability rating or years of service in the armed forces.

Your Committee received testimony in support of this measure from four individuals.

Your Committee finds that retired, disabled veterans who served in the armed forces for twenty or more years and have a United States Department of Veterans Affairs disability rating at or above fifty percent are permitted to receive concurrent retirement and disability payments under existing law. However, for retired, disabled veterans who are ineligible for concurrent retirement and disability payments, retirement payments continue to be offset by the amount of disability compensation received by the veteran. Your Committee finds this consequence to be arbitrary and a failure to recognize the distinct bases for the two forms of compensation.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 195, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1750 Corrections, Military, & Veterans on S.C.R. No. 204

The purpose of this measure is to urge the executive and legislative branches of the State to promote and realize the vision and full potential of the Global Alliance for International Collaboration in Space initiative and explore ways to provide state administrative and funding support for the initiative.

Your Committee received testimony in support of this measure from five individuals.

Your Committee finds that the Global Alliance for International Collaboration in Space initiative has the potential to inspire and promote innovative approaches to space enterprise and to diversify space education, training, and research to advance space missions. Your Committee further finds that Hawaii may be positioned to play a strategic role in pursuing scientific, educational, and economic opportunities afforded through space research, exploration, and development.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 204, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1751 Labor & Tourism on S.C.R. No. 164

The purpose of this measure is to urge the United States Senate and President of the United States to enact the Protecting the Right to Organize Act as expeditiously as possible.

Your Committee received testimony in support of this measure from one member of the Honolulu City Council; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Rainbow Family 808; International Union of Painters and Allied Trades, District Council 50; International Brotherhood of Electrical Workers Local 1260; International Union of Bricklayers and Allied Craftworkers Local #1 of Hawaii; Plumbers and Fitters United Association, Local 675; LGBT Caucus of the Democratic Party of Hawaii; Pride at Work – Hawaii; International Longshore & Warehouse Union Local 142; Hawaii Building & Construction Trades Council; United Public Workers, AFSCME Local 646, AFL-CIO; Hawaii State AFL-CIO; and one individual. Your Committee received testimony in opposition to this measure from the Associated Builders and Contractors, Hawaii Chapter.

Your Committee finds that unionized workers earn over thirteen percent more than comparable nonunionized workers, receive fairer wages and better benefits, and generally have better working conditions. Your Committee further finds that the Protecting the Right to Organize Act enhances workers' rights by providing greater opportunity to unite and bargain meaningfully for fairer wages and benefits, and thus, has the potential to raise workers' living standards.

Your Committee has amended this measure by:

- (1) Amending its title to read, "URGING THE UNITED STATES SENATE AND PRESIDENT OF THE UNITED STATES TO ENACT THE PROTECTING THE RIGHT TO ORGANIZE ACT AS EXPEDITIOUSLY AS POSSIBLE.";
- (2) Inserting references where appropriate to the Protecting the Right to Organize Act of 2021, passed by the United States House of Representatives as House Resolution 842 on March 9, 2021; 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 Labor & Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 164, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as S.C.R. No. 164, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, 1 (Okimoto). Excused, 2 (Belatti, Quinlan).

SCRep. 1752 Labor & Tourism on S.C.R. No. 211

The purpose of this measure is to urge the Department of Human Resources Development and Department of Education to establish and offer a qualified Roth contribution program to their retirement plan participants.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Education and Department of Human Resources Development.

Your Committee finds that some employers in Hawaii, including the state government, provide their employees with retirement savings plans as part of their benefits package and use those plans as recruitment incentives. However, all the retirement plans currently offered to state employees are traditional retirement plans. Your Committee further finds that section 402A of the Internal Revenue Code allows certain employer retirement plans to have a qualified Roth contribution program, which would allow qualified distributions from the Roth account to be excluded from taxable income at the time of withdrawal. Your Committee also finds that a broader selection of retirement plan options may entice more employees to contribute to their retirement accounts.

Your Committee has amended this measure by:

- (1) Requesting that a qualified Roth contribution program be established and offered by January 1, 2024, rather than July 1, 2023, to coincide with the tax year; and
- (2) 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 Labor & Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 211, S.D. 2, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 211, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Belatti, Quinlan).

SCRep. 1753 Labor & Tourism on S.C.R. No. 240

The purpose of this measure is to urge the Department of Human Resources Development to establish a new civil service class for project managers under Collective Bargaining Unit 13.

Your Committee received testimony in support of this measure from the Department of Human Resources Development and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the establishment of a new civil service class for project managers under Collective Bargaining Unit 13 will allow for resolution of the salary inversion issue presented by having the engineers and architects who are supervised by those project managers paid more than their supervisors.

Your Committee has amended this measure by 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 Labor & Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 240, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 240, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Belatti, Quinlan).

SCRep. 1754 Transportation on S.C.R. No. 235

The purpose of this measure is to request the Department of Transportation to evaluate traffic congestion, highway flooding, and road safety issues in the County of Hawaii.

Your Committee received testimony in support of this measure from the Department of Transportation, two members of the Hawai'i County Council, Fair Wind Cruises, and two individuals.

Your Committee finds that the County of Hawaii is experiencing a growth in population, leading to an increase in traffic congestion. Certain roadways in the County of Hawaii suffer from on-going hazardous problems due not only to an increase in population, but the effects of climate change. For example, Kuakini Highway is prone to flooding and on multiple occasions has been closed as a result, causing concern for public safety. Your Committee further finds that traffic congestion can have a number of negative impacts on people, leading to significant emotional health effects, including an increase in stress and aggressiveness. This measure will improve traffic conditions in the County of Hawaii by looking at various ways to reduce traffic congestion, thereby improving the quality of life for residents and visitors of the County of Hawaii.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 235, S.D. 1, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1755 Transportation on S.C.R. No. 173

The purpose of this measure is to request the Department of Transportation to initiate three innovative pilot projects of meaningful scale to modernize transportation infrastructure in underserved communities.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii Bicycling League, Get Fit Kauai, Blue Zones Project, and two individuals.

Your Committee finds that transportation infrastructure throughout the State is centered mostly around motor vehicles, leaving many communities in the State without safe biking or walking transportation infrastructure. This has caused many to take on exorbitant transportation cost with having to purchase a motor vehicle, plus the upkeep and maintenance costs of owning the motor vehicle. Your Committee further finds that more residents are shifting to environmentally friendly modes of transportation, such as public transportation, bicycling, or walking, to reduce costs and their carbon footprint. This measure aims to modernize the State's transportation infrastructure, specifically in underserved communities, thereby improving the safety and quality of life for residents and visitors of the State.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 173, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (DeCoite, Matsumoto).

SCRep. 1756 Transportation on S.C.R. No. 239

The purpose of this measure is to urge the Department of Transportation to increase the use of reclaimed asphalt pavement to repave, reconstruct, and preserve state streets, roads, and highways and explore use of other products using reclaimed asphalt.

Your Committee received testimony in support of this measure from the Department of Transportation, Oahu Motorsports Association, and one individual.

Your Committee finds that the use of reclaimed asphalt pavement to repave, reconstruct, and preserve state streets and roads is better for the environment and provides a more cost-effective method for the State as it uses recycled materials to repair or construct a roadway. Your Committee further finds that the Federal Highway Administration supports and promotes the use of recycled highway material in pavement construction due to its benefits and cost-saving opportunities. This measure will encourage the use of reclaimed asphalt pavement in future repair and construction projects for the State's streets and roads.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 239 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (DeCoite, Matsumoto).

SCRep. 1757 Economic Development on S.C.R. No. 88

The purpose of this measure is to support and adopt the goals set forth in the Digital Equity Declaration that was adopted by the Broadband Hui.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Education; Department of Human Services; Transform Hawai'i Government; Hawai'i Primary Care Association; AlohaCare; Young Democrats of Hawai'i; Broadband Hui; and two individuals.

Your Committee finds that digital equity allows all Hawaii residents, keiki to kupuna, to have the information technology capacity to participate fully in the State's society, democratic process, and economy, including civics, social and cultural activities, employment, lifelong learning, and access to essential services. This measure addresses inequitable digital access in the State by supporting the vision and goals of the Digital Equity Declaration for Hawaii, which promotes adequate broadband infrastructure and affordable high-quality broadband service for all Hawaii residents.

Your Committee has amended this measure by 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 Economic Development that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 88, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as S.C.R. No. 88, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1758 Economic Development on S.C.R. No. 205

The purpose of this measure is to request the Department of Business, Economic Development, and Tourism to compile a short list of Fortune 500 companies that could potentially relocate to the State.

Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that the effects of the COVID-19 pandemic and resulting job losses in the tourism sector of the economy have demonstrated the urgent need for business diversification in the State. Since many jobs and businesses can be done from virtually anywhere with an internet connection, there

are many reasons for a company to relocate to Hawaii. This measure would help identify potential incentives for companies to relocate to Hawaii as a means of luring well-paying jobs and investment to the State.

Your Committee has amended this measure by 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 Economic Development that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 205, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 205, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1759 Economic Development on S.C.R. No. 236

The purpose of this measure is to urge United States President Joseph R. Biden, Jr., and the Asia-Pacific Economic Cooperation to hold the 2023 Asia-Pacific Economic Cooperation Summit in Honolulu, Hawaii.

Your Committee received testimony in support of this measure from the Hawai'i Tourism Authority, one member of the Hawai'i County Council, and Department of Research and Development of the County of Hawaii.

Your Committee finds that the Asia-Pacific Economic Cooperation is the premier forum for facilitating free trade, economic growth, and investment cooperation in the Asia-Pacific region. This measure would urge the Asia-Pacific Economic Cooperation to host its annual conference in Honolulu, Hawaii, which would result in immediate growth in business activity in the State and may also establish a positive reputation for Hawaii as a place to facilitate other global diplomatic conferences.

Your Committee has amended this measure by:

- (1) Making technical amendments to its title to read, "URGING UNITED STATES PRESIDENT JOSEPH R. BIDEN, JR. AND THE ASIA-PACIFIC ECONOMIC COOPERATION TO HOLD THE 2023 ASIA-PACIFIC ECONOMIC COOPERATION SUMMIT IN HONOLULU, HAWAII."; and
- (2) 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 Economic Development that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 236, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 236, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1760 Economic Development on S.C.R. No. 263

The purpose of this measure is to convene a Public Racing Facility Working Group to identify a location and develop a plan for the establishment and operation of public racing facilities on Oahu to improve safety, boost economic activity, and provide for recreation.

Your Committee received testimony in support of this measure from the Department of Transportation and Oahu Motorsports Association.

Your Committee finds that racing facilities in the State have been used for training courses by law enforcement, state and county agencies, nonprofit organizations, and the general public. Your Committee further finds that the last racing facility on Oahu closed in 2006. It is therefore in the public interest to support the establishment of new racing facilities open to the general public, which can serve as an alternative to illegal street racing, provide for driver education and training, and diversify the local economy.

Your Committee has amended this measure by:

- (1) Specifying that the Chairperson of the House of Representatives Standing Committee on Transportation should serve as co-chair of the working group, rather than a member of the House of Representatives appointed by the Speaker of the House of Representatives;
- (2) Making technical amendments to its title to read, "CONVENING A PUBLIC RACING FACILITY WORKING GROUP TO IDENTIFY A LOCATION AND DEVELOP A PLAN FOR THE ESTABLISHMENT AND OPERATION OF PUBLIC RACING FACILITIES ON OAHU TO IMPROVE SAFETY, BOOST ECONOMIC ACTIVITY, AND PROVIDE FOR RECREATION."; 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 Economic Development that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 263, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 263, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Onishi). Noes, none. Excused, none.

SCRep. 1761 Agriculture on S.C.R. No. 246

The purpose of this measure is to request that a working group be convened to develop recommendations for implementing the Revitalizing Economy and Agriculture Leadership (REAL) Initiative.

Your Committee received testimony in support of this measure from the College of Tropical Agriculture and Human Resources at the University of Hawai'i at Mānoa and Kamehameha Schools. Your Committee received comments on this measure from the Department of Agriculture, Department of Hawaiian Home Lands, and Agribusiness Development Corporation.

Your Committee finds that the REAL Initiative empowers Hawaii's farmers to become self-sustaining businesses with local, nutritional feedstock production and direct access to various markets. Your Committee further finds that a REAL working group would create entrepreneurial businesses with industry partners; provide market connections to attract capital assets to Hawaii; facilitate access to a sustainable food supply and feedstock for ranching; promote clean energy and restorative and precision and agriculture; and environmental conservation.

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. 246, S.D. 1, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1762 Agriculture on S.C.R. No. 234

The purpose of this measure is to urge the Department of Agriculture to expand the quarantine facilities of the Plant Quarantine Branch.

Your Committee received testimony in support of this measure from two members of the Hawaii County Council and Hawaii Coffee Association. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that expanded plant quarantine facilities are needed for the Department of Agriculture to respond quickly to newly detected invasive species, which can often prevent the species from becoming firmly established, thereby saving taxpayers money in the long term and preventing significant environmental and agricultural impacts.

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. 234, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1763 Agriculture on S.C.R. No. 247

The purpose of this measure is to request that a working group be convened to develop recommendations to facilitate homestead agricultural demonstration projects in the State.

Your Committee received comments on this measure from the Department of Agriculture, Department of Hawaiian Home Lands, and Hawaii Housing Finance and Development Corporation.

Your Committee finds that the Sovereign Council of Hawaiian Homestead Associations are pursuing homestead agricultural demonstration projects to increase small farm capacity, homestead community ranching capacity, and farming and ranching supportive affordable housing for farming and ranching on the islands of Molokai and Kauai. This measure seeks to establish a working group to develop recommendations to facilitate the Sovereign Council of Hawaiian Homestead Associations' homestead agricultural demonstration projects, which would increase participation in livestock ranching, incorporate rental housing for farm and ranching workers, and hopefully serve as a replicable model for homesteads on other islands.

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. 247, S.D. 1, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1764 Agriculture on S.C.R. No. 92

The purpose of this measure is to request the Department of Agriculture to consider amending the eligibility qualifications and lease terms for its agricultural lots to aid small farm businesses.

Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that Hawaii farmers are facing difficulty in obtaining long-term leases and reasonable lease rents because there is pressure on the use of important agricultural land for higher-value purposes, resulting in accelerated decline near urban areas due to farmers' disinvestment in their farm operations in anticipation of development. This measure would request the Department of Agriculture to address these challenges by amending eligibility for agricultural lots and developing ways to encourage more affordable long-term leases.

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. 92, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1765 Agriculture on S.C.R. No. 258

The purpose of this measure is to urge the Department of Agriculture to identify how coffee berry borer and coffee leaf rust entered into Hawaii and measures to prevent the flow of these invasive species into the State to protect the ongoing viability of Hawaii's coffee industry.

Your Committee received testimony in support of this measure from the Hawaii Coffee Association, Kona Coffee Farmers Association, Rancho Aloha, and four individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that coffee berry borer and coffee leaf rust pose a significant threat to Hawaii's economically valuable coffee industry. Your Committee further finds that it is imperative that the State understand how the coffee berry borer and coffee leaf rust were introduced to Hawaii in order to mitigate the risks that these pests may cause to the coffee industry, assign costs to responsible parties, and prevent future infestations.

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. 258, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1766 Agriculture on S.C.R. No. 46

The purpose of this measure is to request the Department of Agriculture to establish a Kona area agricultural working group to promote agriculture, economic development, and affordable housing.

Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that this measure will convene representatives of various state and county agencies to develop a framework to optimize agricultural, economic-development, and housing opportunities in the Kona region of Hawaii island.

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. 46, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1767 Legislative Management on S.C.R. No. 143

The purpose of this measure is to request the Auditor to conduct a social and financial assessment of proposed mandatory health insurance coverage for various reproductive health services, drugs, devices, products, and procedures.

Your Committee received testimony in support of this measure from the LGBT Caucus of the Democratic Party of Hawai'i, American Association of University Women of Hawaii, Planned Parenthood Alliance Advocates, Hawaii Women's Coalition, and two individuals.

Your Committee finds that facilitating access to preventive sexual and reproductive health services and limiting out-of-pocket costs for preventive sexual and reproductive health services are in the public interest. Your Committee further finds that section 23-51, Hawaii Revised Statutes, requires that, prior to the consideration of any legislative measure that mandates health insurance coverage for specific health services, a concurrent resolution be passed requesting the Auditor to prepare and submit to the Legislature a report on the social and financial effects of the proposed mandatory coverage.

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 S.C.R. No. 143, S.D. 1, and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Okimoto). Noes, none. Excused, none.

SCRep. 1768 Higher Education & Technology on S.C.R. No. 67

The purpose of this measure is to recognize October 4 through October 8, 2021, as Digital Inclusion Week in the State.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that the coronavirus disease 2019 pandemic has highlighted the need for affordable, high-speed Internet. Your Committee also finds that the need for availability and access to high-speed broadband services for all and the need to close the digital divide have become glaringly apparent. Affordable, reliable, high-speed broadband is imperative for individuals to work, learn, access and deliver health care, stay connected, and communicate. Digital Inclusion Week will help raise awareness of and attention to the need for digital equity and digital inclusion.

As affirmed by the record of votes of the members of your Committee on Higher Education & Technology that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 67, S.D. 1, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 1769 Higher Education & Technology on S.C.R. No. 115

The purpose of this measure is to request:

- (1) The University of Hawaii, with the oversight of the Chairperson of the University of Hawaii Board of Regents, to examine and assess the reasonableness and feasibility of the existing policies, standards, rules, guidelines, and procedures governing the University Housing Program; and
- (2) The University of Hawaii and Chairperson of the Board of Regents to submit a report of their findings and recommendations, including proposed legislation, to the Legislature prior to the Regular Session of 2022.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the University of Hawai'i System.

Your Committee finds that the University of Hawaii at Manoa University Housing Program, which consists of three housing projects located in Manoa, offers rental housing to tenure-track and tenured faculty and other employees of the University of Hawaii during their initial years of employment. Your Committee also finds that a November 2019 report by the University of Hawaii at Manoa's Office of Internal Audit and previous reports issued in 2010 and 2013 identified various issues relating to the University Housing Program's noncompliance with the policies of the University of Hawaii Board of Regents and the Internal Revenue Code. The reports also raised concerns about deficiencies in the enforcement and operations regarding University of Hawaii faculty and employee housing. This measure requests further examination and assessment of University of Hawaii employee housing with respect to the reasonableness and feasibility of existing policies, standards, rules, guidelines, and procedures governing the University Housing Program.

Your Committee has amended this measure by:

- (1) Amending its title to read, "REQUESTING THE UNIVERSITY OF HAWAII TO EXAMINE AND ASSESS THE REASONABLENESS AND FEASIBILITY OF THE CURRENT POLICIES, STANDARDS, RULES, GUIDELINES, AND PROCEDURES GOVERNING THE UNIVERSITY HOUSING PROGRAM.";
- (2) Clarifying that the University of Hawaii examine and assess current, rather than existing, policies, standards, rules, guidelines, and procedures governing the University Housing Program;
- (3) Requesting that the report to the Legislature include a matrix of the properties constituting Oahu Rental Projects and information on their tenants, including whether:
 - (A) The unit is occupied as of September 1, 2021, rather than as of May 1, 2021; and
 - (B) The tenant-faculty owns an interest in any other residential property on Oahu, rather than in the State; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Higher Education & Technology that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 115, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 115, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 1770 Higher Education & Technology on S.C.R. No. 183

The purpose of this measure is to request the University of Hawaii to convene a task force to:

- (1) Examine and assess its arrangement for services with the Research Corporation of the University of Hawaii, including the terms and conditions of the service agreement between the two parties; and

(2) Submit a report of its findings and recommendations, including any proposed legislation, to the Legislature prior to the Regular Session of 2022.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the University of Hawai'i System and Research Corporation of the University of Hawaii.

Your Committee finds that the Research Corporation of the University of Hawaii's mission is to support and enhance research, development, and training in the State, with a focus on the University of Hawaii. Your Committee also finds that to fulfill its mission, the Research Corporation of the University of Hawaii is exempt from certain state procurement and personnel laws. State law grants the Research Corporation of the University of Hawaii flexibility in hiring its personnel and handling and disbursing monies.

When the University of Hawaii determines that neither it nor another state agency can more effectively or efficiently accomplish the purposes of sponsored research and training activities, the University of Hawaii contracts with the Research Corporation of the University of Hawaii to receive management and other services to support its research and training activities. The terms and conditions of the services provided by the Research Corporation of the University of Hawaii to the University of Hawaii are set forth in a service agreement between the two parties. Your Committee finds that, as a matter of statewide concern, examining and assessing the terms and conditions of the service agreement will facilitate optimization of services provided by the Research Corporation of Hawaii to the University of Hawaii.

Your Committee has amended this measure by:

- (1) Requesting that certified copies of this measure be transmitted to the Chairperson of the Board of Directors of the Research Corporation of the University of Hawaii and Executive Director of the Research Corporation of the University of Hawaii; and
- (2) 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 Higher Education & Technology that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 183, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 183, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 1771 Higher Education & Technology on S.C.R. No. 201

The purpose of this measure is to urge the University of Hawaii and the University of Hawaii Professional Assembly to convene a task force to examine and assess the University of Hawaii's:

- (1) Tenure system for researchers and other non-instructional faculty; and
- (2) Compensation structure of faculty engaged in activities supported by extramural funding for grants;

in comparison to peer higher education institutions across the United States. This measure also requests the task force to propose best practices to be implemented by the University of Hawaii and to submit a report to the Legislature prior to the Regular Session of 2022.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the University of Hawai'i System.

Your Committee finds that according to the American Association of University Professors, the principal purpose of tenure is to safeguard academic freedom, which is necessary for all who teach and conduct research in higher education. However, the American Association of University Professors also indicates that the tenure system for higher education in the United States has eroded, where the percentage of faculty members that are off tenure-track has been steadily increasing.

Your Committee also finds that the University of Hawaii's decision to classify a faculty position as one eligible for academic tenure results in the long-term commitment of public resources for that position. Therefore, it is a matter of statewide concern to ensure that public resources are targeted to support academic tenure for faculty members whose primary duties and responsibilities are to provide instruction to educate and promote the success of students enrolled at the University of Hawaii.

Your Committee has amended this measure by:

- (1) Amending its title to read, "URGING THE UNIVERSITY OF HAWAII AND UNIVERSITY OF HAWAII PROFESSIONAL ASSEMBLY TO CONVENE A TASK FORCE TO EXAMINE AND ASSESS THE UNIVERSITY OF HAWAII TENURE SYSTEM FOR RESEARCHERS AND OTHER NON-INSTRUCTIONAL FACULTY, AND COMPENSATION STRUCTURE OF FACULTY ENGAGED IN ACTIVITIES SUPPORTED BY EXTRAMURAL FUNDING AND GRANTS, IN COMPARISON TO PEER HIGHER EDUCATION INSTITUTIONS ACROSS THE UNITED STATES; AND PROPOSE BEST PRACTICES TO BE IMPLEMENTED BY THE UNIVERSITY OF HAWAII.";
- (2) Clarifying that the Chairperson of the Board of Regents of the University of Hawaii, President of the University of Hawaii, and Vice President for Research and Innovation of the University of Hawaii, or their respective designees, are requested to serve on the task force; 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 Higher Education & Technology that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 201, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 201, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 1772 Culture, Arts, & International Affairs on S.C.R. No. 26

The purpose of this measure is to empower young women by annually recognizing October 11 as the International Day of the Girl.

Your Committee received testimony in support of this measure from Hawai'i Children's Action Network Speaks!. Your committee received comments on this measure from one individual.

Your Committee finds that worldwide, girl children are often at greater risk of being exposed to and encountering various forms of discrimination and violence. This discrimination and violence often results in less access for girls to quality education, nutrition, and physical and mental health care, which creates disadvantages in childhood that can have a cyclical effect in later life, leading women to face further discrimination, violence, and neglect. Empowering girls through the active support of their families and communities is crucial to breaking the cycle of discrimination and violence and promoting and protecting

the full and effective enjoyment of women's and girls' rights.

Your Committee has amended this measure by:

- (1) Recognizing only October 11, 2021, as International Day of the Girl, rather than on an annual basis; and
- (2) 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 Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 26, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 26, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1773 Culture, Arts, & International Affairs on S.C.R. No. 243

The purpose of this measure is to request the Legislative Reference Bureau conduct a study and develop statutory definitions of "creative work" and "creative workers" by taking into consideration Hawaii's existing creative work industry, as groundwork for the Legislature to adopt measures to support Hawaii's creative workers.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, & Tourism; Hawai'i State Foundation on Culture and the Arts; Hawai'i Arts Alliance; Kamawaelualani Corp.; and four individuals. Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that the COVID-19 pandemic has negatively impacted the State's economy, particularly the tourist industry. Your Committee further finds that this significant decrease in the number of visitors has also negatively impacted the State's creative workers. This measure seeks ways to support creative workers in the State.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 243, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1774 Culture, Arts, & International Affairs on S.C.R. No. 220

The purpose of this measure is to recognize the seventy-fifth anniversary of diplomatic relations between the United States and the Republic of the Philippines.

Your Committee received testimony in support of this measure from the Filipino Advocacy Network. Your Committee received comments on this measure from the Aloha 'Aina Party.

Your Committee finds that the United States established diplomatic relations with the Republic of the Philippines on July 4, 1946. Your Committee further finds that the Filipino-American community is among the largest Asian-American and Pacific Islander groups in the United States. Filipino-Americans have helped shape the history of the State and have contributed to the development of Hawaii from the arrival of the first fifteen Filipino plantation workers on December 20, 1906, to the present, and individuals of Filipino ethnicity make up the largest portion of the State's population.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 220, S.D. 1, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1775 Culture, Arts, & International Affairs on S.C.R. No. 241

The purpose of this measure is to establish a sister-state relationship between the State of Hawaii and Yamaguchi Prefecture in Japan.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, & Tourism and Japan-America Society of Hawai'i. Your Committee received comments on this measure from the Aloha 'Aina Party.

Your Committee finds that the people of Hawaii and Yamaguchi Prefecture share a long history and strong bond, starting with the immigration of more than ten thousand contract laborers to Hawaii between 1885 and 1894 as government-sponsored immigrants, and carried forward to today in the multiple cultural and educational exchanges between the people of Hawaii and Yamaguchi Prefecture. Your Committee further finds that the Hawaii Sister-State Committee has reviewed the Hawaii-Yamaguchi sister-state application and has recommended that a sister-state relationship be established between Hawaii and Yamaguchi Prefecture. This measure will begin the formal process of establishing this relationship.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 241, S.D. 1, and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1776 Culture, Arts, & International Affairs on S.C.R. No. 135

The purpose of this measure is to request the Governor to declare the year 2022 as the Year of Limu.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Department of Land Natural Resources, Aloha 'Aina Party, Malama Pupukeya-Waimea, Kua'āina Ulu 'Auamo, Papa Ola Lōkahi, Native Hawaiian Education Council, Boys & Girls Club of Hawaii, Council for Native Hawaiian Advancement, Kamehameha Schools, Iolani Palace, The Queen's Health Systems, Partners in Development Foundation, Bishop Museum, 'Aha Punana Leo, and eight individuals.

Your Committee finds that limu is a crucial part of a healthy and productive reef and nearshore ecosystem. Your Committee further finds that limu was once the third most important component of the traditional Native Hawaiian diet and played an important role in Native Hawaiian culture, medicine, and religion.

Your Committee has amended this measure by 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 Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 135, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Water & Land in the form attached hereto as S.C.R. No. 135, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1777 Culture, Arts, & International Affairs on S.C.R. No. 242

The purpose of this measure is to request a Creative Resurgence Task Force be convened to build and foster creativity and innovation through the arts, culture, and humanities.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; State Foundation on Culture and the Arts; Hawai'i Arts Alliance; and five individuals.

Your Committee finds that the COVID-19 pandemic has had a devastating impact on the nation's creative industry, with those working in the creative industry suffering a disproportionate share of economic harm. Your Committee further finds that a broad-based effort by public and private sectors, arts and cultural organizations, economic development groups, and the community is needed to build and foster creativity in the State and to develop recommendations for statutory action to support and encourage access to the creative sector and advance and diversify the creative economy.

Your Committee has amended this measure by 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 Culture, Arts, & International Affairs 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 your Committee on Finance in the form attached hereto as S.C.R. No. 242, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1778 Water & Land on S.C.R. No. 190

The purpose of this measure is to convene a Maunaloa-Makapuu Scenic Byway and Kaiwi Coast Working Group to develop a plan to address ongoing issues in the Maunaloa-Makapuu Scenic Byway and Kaiwi coastal area and consolidate management to better protect and preserve this critical resource for future generations.

Your Committee received testimony in support of this measure from the Department of Transportation, Livable Hawaii Kai Hui, and two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the Kaiwi coast scenic shoreline is a beautiful stretch of undeveloped land in east Oahu that is host to the Maunaloa-Makapuu Scenic Byway. There is concern that without proper management, this part of the island will face increasing challenges. Your Committee finds that it is in the best interests of the people of Hawaii to engage the community to protect this natural, unspoiled area and preserve its rugged beauty.

Your Committee has amended this measure by:

(1) Modifying the composition of the Maunaloa-Makapuu Scenic Byway and Kaiwi coast working group by:

- (A) Adding the Chairperson of the Board of Land and Natural Resources, or the Chairperson's designee, as a member and designating this individual to serve as co-chair of the working group;
- (B) Clarifying that a designee of the Director of Transportation may serve on the working group and designating either this individual or the Director of Transportation, as applicable, to serve as co-chair of the working group;
- (C) Removing the Administrator of the Division of State Parks and Chairperson of the Senate Standing Committee on Transportation as members of the working group;
- (D) Adding one member of the House of Representatives, to be appointed by the Speaker of the House of Representatives, as a member of the working group; and
- (E) Adding one member of the Senate, to be appointed by the President of the Senate, as a member of the working group; and

(2) 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 Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 190, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as S.C.R. No. 190, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1779 Water & Land on S.C.R. No. 30

The purpose of this measure is to request the Department of Hawaiian Home Lands, in conjunction with the County of Hawaii Department of Water Supply, to provide a progress report regarding the development of the Ka'ū water system.

Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that the Ka'ū water system project is complex and is projected to involve future costs. Therefore, it would be prudent for the Legislature to receive an update on the progress of the project.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 30, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1780 Water & Land on S.C.R. No. 159

The purpose of this measure is to urge the Department of Land and Natural Resources to examine and consider purchasing reef insurance to protect the

State's coastlines and coastal infrastructure from natural disasters.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and The Nature Conservancy.

Your Committee finds that reefs are the lifeblood of the State's economy, providing millions of dollars in revenue from fishing and tourism, as well as coastal protection, cultural renewal, and recreational opportunities for residents and visitors. Your Committee also finds that Hawaii's natural resources are affected by a variety of environmental and anthropogenic factors, including impacts from climate change such as rising and warming seas and increasing storms and drought. Reefs are the first line of defense against the impacts of natural disasters to the State, such as marine heatwaves, beach erosion, and chronic flooding. Your Committee recognizes that reef insurance creates opportunities to protect Hawaii's coastline and coastal infrastructure from natural disasters and repair reefs after a natural disaster.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 159, S.D. 1, and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (B. Kobayashi, Kong, Morikawa, McDermott). Noes, none. Excused, none.

SCRep. 1781 Water & Land on S.C.R. No. 189

The purpose of this measure is to urge the Department of Land and Natural Resources, Department of Agriculture, other relevant state entities, the City and County of Honolulu, and Hawaii's Congressional delegation to work with The Trust for Public Land and the Hui Maunawili-Kawainui to acquire the important and rich agricultural, cultural, and historic lands of Maunawili Valley.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, The Trust for Public Land, Hui Maunawili-Kawainui, Hika'alani, Hawai'i Land Trust, and three individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that HRT Realty, Inc., which currently owns over one thousand acres of agricultural and conservation lands in Maunawili Valley, is in discussions to sell several of these parcels to the Department of Land and Natural Resources and non-profit 'āina-based educational organizations, working in partnership with various community organizations.

Your Committee has amended this measure by:

- (1) Adding Ho'okua'āina and Kauluakalana as partnering community organizations;
- (2) Removing all references to the Department of Agriculture;
- (3) Modifying the list of recipients to whom copies of this measure will be transmitted; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 189, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 189, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1782 Water & Land on S.C.R. No. 102

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a perpetual, non-exclusive easement covering portions of state submerged lands at Maunaloa, Oahu, for the construction and maintenance of a rock groin on those state submerged lands to slow the rate of sediment deposition into the entrance channel of the Hawaii Kai Marina.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the Hawaii Kai Marina Community Association is responsible for the maintenance of the entrance channel between the privately-owned Hawaii Kai Marina and Maunaloa Bay. Your Committee further finds that the Department of Land and Natural Resources has worked with the community association on a proposed project to remove the deteriorating sandbag groin on the eastern side of the entrance channel and construct a permanent rock rubble groin in its place to reduce the rate of sediment accumulation into the channel entrance, which in turn will reduce the number and frequency of dredging activities.

Your Committee has amended this measure by:

- (1) Making technical amendments to its title to read, "AUTHORIZING THE ISSUANCE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT COVERING PORTIONS OF STATE SUBMERGED LANDS AT MAUNALOA, OAHU, HAWAII, FOR THE CONSTRUCTION AND MAINTENANCE OF A ROCK GROIN TO SLOW THE RATE OF SEDIMENT DEPOSITION INTO THE ENTRANCE CHANNEL OF THE HAWAII KAI MARINA."; and
- (2) 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 Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 102, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as S.C.R. No. 102, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1783 Water & Land on S.C.R. No. 15

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands at Napili 2 and 3, Lahaina, Maui, for the existing walkway, and for use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the Department of Land and Natural Resources' Office of Conservation and Coastal Lands has determined that the walkway and stairs provide safe public access along the shoreline, which would be diminished if the walkway were removed; removal of the walkway would have a minimal beneficial impact on beach resources due to its limited size and the existence of a major structure situated directly landward of the encroachment; and removal

of the walkway would have an unknown effect on surrounding parcels. Your Committee further finds that this measure is necessary to provide legislative authorization for the Board of Land and Natural Resources to lease the subject submerged lands.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 15, S.D. 1, and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1784 Water & Land on S.C.R. No. 16

The purpose of this measure is to authorize the issuance of term, non-exclusive easements covering a portion of state submerged lands at Waiohuli-Keokea (Kihei), Wailuku, Maui, for the existing seawall, and for use, maintenance, and repair of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that this easement covers improvements that were constructed partially on private land and partially on state-owned land seaward of the recorded boundary and that the shoreline has since migrated landward, thus placing the improvements entirely seaward of the shoreline on submerged land. Your Committee further finds that the area seaward of the parcel is identified as a state beach reserve; however, the land appears to be almost consistently underwater, with no beach area remaining. Furthermore, your Committee finds that it also appears that most of the adjacent properties along the coastline have been similarly armored. This measure provides the authorization of the Legislature required by section 171-53, Hawaii Revised Statutes, for the Board of Land and Natural Resources to grant leases of the subject state submerged lands.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 16, S.D. 1, and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1785 Water & Land on S.C.R. No. 18

The purpose of this measure is to authorize the issuance of a fifty-five-year, non-exclusive easement covering a portion of state submerged lands fronting Tax Map Key number (2) 3-9-010:006 at Waiohuli-Keokea Homesteads and Beach Lots, Kihei, Maui, for the existing seawall and rock revetment, and for the use, repair, and maintenance of those improvements.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that removal of the subject seawall would not result in a substantial improvement to beach resources fronting the property because the narrow beach that fronts the seawall is submerged during all but the lowest tides; would not improve public access because the adjacent properties are fronted by similar seawalls and the narrow beach; and may destabilize seawalls and lawns at adjacent properties. In addition, the seawall serves as the primary erosion control for potentially threatened upland structures. Your Committee further finds that this measure is necessary to provide legislative authorization for the Board of Land and Natural Resources to lease the subject submerged lands.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 18 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1786 Water & Land on S.C.R. No. 19

The purpose of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands fronting Tax Map Key number (1) 3-9-016:036 at Maunaloa, Honolulu, Oahu, for the existing seawall, and for the use, repair, and maintenance of the existing seawall constructed on state submerged lands.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that there is no walkable lateral access and no sandy beach resources fronting the subject seawall or adjacent properties to the north and south; the land fronting the seawall is consistently submerged; removal of the encroachment is unlikely to improve lateral shoreline access; and the encroachment is attached to the seawall and serves as the primary erosion control for the subject property. Your Committee further finds that this measure is necessary to provide legislative authorization for the Board of Land and Natural Resources to lease the subject submerged lands. Your Committee notes that the fair market value of the easement is being determined by an appraiser.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 19 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1787 Water & Land on S.C.R. No. 58

The purpose of this measure is to authorize the Board of Land and Natural Resources to lease a portion of state submerged lands seaward of the property identified as Tax Map Key number (1) 4-4-022:032, Kaneohe Bay, Kaneohe, Oahu, for non-commercial boat pier purposes for a term of fifty-five years, pursuant to section 171-53(c), Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the terms of the lease will prohibit the lessee from authorizing tenants to live aboard their vessels or otherwise use their vessels as a place of principal habitation. In addition, the Department of Land and Natural Resources is in the process of offering a lease by public auction for submerged lands immediately adjacent to the Kaneohe Yacht Club. Your Committee further finds that this measure comports with section 171-53(c), Hawaii Revised Statutes, which requires the prior approval of the Governor and prior authorization of the Legislature by concurrent resolution to lease state submerged lands.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 58, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 1788 Water & Land on S.C.R. No. 141

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering portions of state submerged lands at Wailea, Maui, for the existing beach access stairway fronting the Wailea Elua Village that descends from the Wailea Coastal Walk to Ulua Beach.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Wailea Elua AOA.

Your Committee finds that a portion of an existing, wooden beach access stairway fronting the Wailea Elua Village Resorts encroaches on state submerged lands. Your Committee further finds that the Department of Land and Natural Resources has worked with the Association of Apartment Owners of Wailea Elua to resolve the encroachment by granting a twenty-five-year non-exclusive easement for the beach access stairway. Pursuant to section 171-53(c), Hawaii Revised Statutes, the Legislature must grant prior authorization before state submerged lands may be leased. This measure authorizes the granting of a term, non-exclusive easement for the portion of identified state submerged lands in Wailea, Maui, that have been encroached upon by the beach access stairway.

Your Committee has amended this measure by 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 Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 141, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as S.C.R. No. 141, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 1789 Culture, Arts, & International Affairs on S.C.R. No. 215

The purpose of this measure is to recognize the contributions of the Compact of Free Association community in the State of Hawaii.

Your Committee received testimony in support of this measure from Young Democrats of Hawai'i; Native Hawaiian & Pacific Islander Hawai'i COVID-19 Response, Recovery, and Resilience Team; Democratic Party of Hawai'i; and two individuals. Your Committee received comments on this measure from the State Foundation on Culture and the Arts and one individual.

Your Committee finds that the Republic of Palau, Republic of the Marshall Islands, and Federated States of Micronesia, collectively known as the Freely Associated States, all have Compacts of Free Association with the United States, allowing the citizens of these nations to enter the United States without work permits or visas to study, live, and work and to access benefits available to United States citizens, such as driver's licenses and health care. Your Committee further finds that the citizens of these nations contribute to the vibrancy of indigenous cultural practices in the State, participate in economic activities in multiple sectors in the State, and volunteer to serve in the United States Armed Forces at per capita rates higher than most states. However, despite these contributions, citizens of these nations often face discrimination in access to housing, education, and employment. This measure recognizes the contributions made by the Compact of Free Association community to the State and condemns the any racial or cultural discrimination, violence, or defamation against the citizens of the Freely Associated States.

Your Committee has amended this measure by:

- (1) Amending its title to read, "RECOGNIZING THE HISTORIC, CULTURAL, AND STRATEGIC CONNECTIONS BETWEEN THE PEOPLES OF OCEANIA, OF WHICH HAWAII AND THE FREELY ASSOCIATED STATES ARE A PART.";
- (2) Inserting language recognizing and clarifying the deep historic, cultural, and strategic ties between the peoples of Hawaii and the Freely Associated States;
- (3) Inserting language condemning racial or cultural discrimination, violence, and defamation against citizens of the Compact of Free Association;
- (4) Inserting language recognizing the geo-strategic importance of these nations to the United States and Hawaii against foreign adversaries, particularly the People's Republic of China;
- (5) Inserting language requesting the United States Congress to continue to support economic and scientific assistance to the Freely Associated States;
- (6) Inserting language urging the Governor to implement programs and training to combat discrimination against Pacific Island communities, including expanding language access and countering bullying against Compact of Free Association students in public schools, and to work with the heads of states of these nations on commonly shared policy issues;
- (7) Amending the recipients of certified copies of this measure; and
- (8) 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 Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 215, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as S.C.R. No. 215, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 1790 Finance on S.B. No. 1102

The purpose of this measure is to authorize promoters of mixed martial arts events to compensate contestants and their managers in cash.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

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.B. No. 1102, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Eli, Perruso).

SCRep. 1791 Finance on S.B. No. 1103

The purpose of this measure is to provide flexibility and discretion to the Board of Public Accountancy in selecting members to serve on the Board's Peer Review Oversight Committee.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Board of Public Accountancy.

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.B. No. 1103, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, Perruso).

SCRep. 1792 Judiciary & Hawaiian Affairs on S.B. No. 764

The purpose of this measure is to add a permanent commercial driver's license disqualification for a holder of a commercial driver's license or commercial learner's permit who is convicted of a felony involving a severe form of trafficking in persons while operating a commercial motor vehicle for which a commercial driver's license or permit is required.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii Transportation Association, and four individuals.

Your Committee finds that on July 23, 2019, the Federal Motor Carrier Safety Administration of the United States Department of Transportation issued a final rule that provides that drivers who are convicted of a felony involving a severe form of trafficking in persons while operating a commercial motor vehicle for which a commercial driver's license or commercial learner's permit is required, are permanently banned from holding the license or permit without the possibility of reinstatement. Your Committee further finds that the final rule requires states to achieve substantial compliance with the federal Act within three years of the final rule's effective date of September 23, 2019. This measure will bring the State into compliance with the federal rule.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 764, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 1793 Finance on S.B. No. 159

The purpose of this measure is to:

- (1) Make applications for voter registration part of all state identification card or driver's license applications;
- (2) Require applicants to choose to be registered to vote or make changes to the applicant's voter registration information; and
- (3) Require certain information to be shared among the county clerks, Department of Transportation, election personnel, and online voter registration system.

Your Committee received testimony in support of this measure from the Office of Elections; Office of the County Clerk of the County of Kaua'i; LGBT Caucus of the Democratic Party of Hawaii; Pride at Work - Hawaii; Young Progressives Demanding Action; Rainbow Family 808; Sierra Club of Hawai'i; Planned Parenthood Votes Northwest and Hawaii; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Community Alliance on Prisons; Indivisible Hawaii; Women's Caucus of the Democratic Party of Hawai'i; American Association of University Women of Hawaii; Americans for Democratic Action Hawai'i; Hawai'i Friends of Civil Rights; Hawai'i Health & Harm Reduction Center; Transform Hawai'i Government; Hawai'i Alliance for Progressive Action; American Civil Liberties Union of Hawai'i; Common Cause Hawaii; AARP Hawai'i; HOPE Services Hawai'i; and numerous individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of Transportation, League of Women Voters of Hawaii, Hawaii State Teachers Association, and AVR Hawai'i Coalition.

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.B. No. 159, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Perruso).

SCRep. 1794 Finance on S.B. No. 828

The purpose of this measure is to:

- (1) Grant exclusive original jurisdiction in matters of divorce to the family court of the circuit in which an applicant is domiciled at the time the application is filed; and
- (2) Repeal the requirement that a person be domiciled or physically present in the State for a continuous period of at least six months before completing a divorce.

Your Committee received testimony in support of this measure from the Hawai'i State Coalition Against Domestic Violence, Domestic Violence Action Center, American Association of University Women of Hawaii, and three individuals. Your Committee received comments on this measure from the Judiciary.

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.B. No. 828, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, Perruso).

SCRep. 1795 Finance on S.B. No. 1350

The purpose of this measure is to:

- (1) Permit public notice in a short form for proposed, revised, and final reapportionment plans, subject to specific requirements;
- (2) Temporarily amend the start date for the availability of nomination papers for the 2022 primary election;

- (3) Define "permanent resident" for reapportionment purposes; and
- (4) Authorize and appropriate funds for the Reapportionment Commission to retain outside legal counsel.

Your Committee received comments on this measure from the Department of the Attorney General, Office of Elections, and Common Cause Hawaii.

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.B. No. 1350, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1796 Finance on S.B. No. 1222

The purpose of this measure is to:

- (1) Expand the scope of programs the Conference Center Revolving Fund may support to include conference center programs conducted by the University of Hawaii at Hilo;
- (2) Authorize the Chancellor of the University of Hawaii at Hilo or the Chancellor's designee, instead of the Dean of the College of Continuing Education and Community Service, to expend monies from the Conference Center Revolving Fund; and
- (3) Require the Chancellor of the University of Hawaii at Hilo to submit an annual report to the Legislature that accounts for all income and expenditures of the Conference Center Revolving Fund.

Your Committee received testimony in support of this measure from the University of Hawai'i System and one individual.

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.B. No. 1222, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, Perruso).

SCRep. 1797 Judiciary & Hawaiian Affairs on S.B. No. 1225

The purpose of this measure is to:

- (1) Require the Chair of the Independent Audit Committee of the University of Hawaii Board of Regents to be selected in a manner consistent with the Board of Regents' Bylaws;
- (2) Limit the Board of Regents' flexibility to appoint members to the Independent Audit Committee when no member of the Board of Regents has financial expertise;
- (3) Exempt the Independent Audit Committee from public proceedings and records laws and open meetings laws during its discussions with auditors on matters that should remain confidential, and, at the Independent Audit Committee Chair's discretion, allow the discussions to be held in the absence of the University of Hawaii President or University of Hawaii Chief Financial Officer; and
- (4) Clarify the Independent Auditor's role with regard to enterprise risk management.

Your Committee received testimony in support of this measure from the Office of the Board of Regents and two individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the Independent Audit Committee is an advisory body established by the University of Hawaii Board of Regents' Bylaws and statutorily established in section 304A-321, Hawaii Revised Statutes. Your Committee also finds that the existing statute may inadvertently create a situation in which the Independent Audit Committee does not have a chair, such as when the committee chair's term on the Board of Regents ends on June 30 and committee membership is pending election of a Board of Regents' chair. This measure makes the appointment of the Independent Audit Committee Chair consistent with the Board of Regents' Bylaws.

Your Committee further finds that this measure will help to ensure that the Independent Audit Committee has the continued expertise, independence, and ability to keep certain matters confidential in order to allow the Committee to perform its oversight responsibilities relating to enterprise risk management.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1225, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 1798 Finance on S.B. No. 60

The purpose of this measure is to authorize the issuance of special number motor vehicle license plates to commemorate the Polynesian Voyaging Society.

Your Committee received testimony in support of this measure from seven individuals. Your Committee received comments on this measure from the Polynesian Voyaging Society.

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.B. No. 60, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, Perruso).

SCRep. 1799 Finance on S.B. No. 936

The purpose of this measure is to require:

- (1) The Department of Health to disseminate information regarding seizure first aid; and
- (2) Employers to post materials provided by the Department of Health to educate employees with respect to seizure first aid.

Your Committee received testimony in support of this measure from the Epilepsy Foundation of Hawaii, Paul's Purple Warriors, and nineteen individuals. Your Committee received testimony in opposition to this measure from the Department of Health.

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.B. No. 936, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13; Ayes with Reservations (B. Kobayashi). Noes, none. Excused, 2 (Eli, Perruso).

SCRep. 1800 Judiciary & Hawaiian Affairs on S.B. No. 1270

The purpose of this measure is to replace the Director of Human Services with the Administrator of the Division of Vocational Rehabilitation, Department of Human Services, as an ex officio, voting member of the Workforce Development Council.

Your Committee received testimony in support of this measure from the Department of Human Services, Workforce Development Council, State Council on Developmental Disabilities, and one individual.

Your Committee finds that federal regulations require that a representative of the State's Vocational Rehabilitation Program serve on the Workforce Development Council. A change in the membership of the Council is, therefore, needed to bring the Workforce Development Council into compliance with federal requirements. Failure to comply exposes the State to a potential loss of over \$9,000,000 in federal funds.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1270 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 1801 Finance on S.B. No. 225

The purpose of this measure is to:

- (1) Specify that the cost of regional infrastructure improvements made by the Hawaii Housing Finance and Development Corporation may be assessed against transit-oriented development projects specially benefiting from the improvements, as determined by the Corporation; and
- (2) Require the Hawaii Interagency Council for Transit-Oriented Development to review and make recommendations on applications for subaccount funds for infrastructure projects related to transit-oriented development.

Your Committee received testimony in support of this measure from the Office of Planning, Hawaii Interagency Council for Transit-Oriented Development, Land Use Research Foundation of Hawaii, and one individual. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

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.B. No. 225, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Perruso).

SCRep. 1802 Finance on S.B. No. 1203

The purpose of this measure is to make nonsubstantive changes to Title 14, Hawaii Revised Statutes, for clarity and to delete obsolete provisions.

Your Committee received testimony in support of this measure from the Department of Taxation and one individual. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

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.B. No. 1203, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Perruso).

SCRep. 1803 Finance on S.B. No. 1204

The purpose of this measure is to:

- (1) Replace the four District Taxation Boards of Review with a single statewide Taxation Board of Review consisting of up to ten residents to be appointed by the Governor;
- (2) Authorize the Governor to appoint temporary board members during regular members' temporary absence from the State, recusal, or illness;
- (3) Require a quorum of at least three board members for any meeting or proceeding;
- (4) Authorize taxpayers and others appearing before the Taxation Board of Review to participate using cost-efficient means, such as teleconferencing;
- (5) Require all decisions of the Taxation Board of Review to be reduced to writing and state the Board's findings of fact and conclusions of law separately; and
- (6) Repeal the requirement that the assessor prepare the notice of appeal upon the request of the taxpayer.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, and one individual.

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.B. No. 1204, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Perruso).

SCRep. 1804 Judiciary & Hawaiian Affairs on S.B. No. 347

The purpose of this measure is to prohibit the intentional release of balloons inflated with gas that is lighter than air.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Beach Environmental Awareness Campaign Hawai'i, Hawai'i Reef and Ocean Coalition, BalloonsBlow.org, Hawai'i Wildlife Fund, The Humane Society of The United States, Pacific Whale

Foundation, numerous individuals, and a petition signed by numerous individuals.

Your Committee finds that the release of balloons inflated with lighter-than-air gas poses a danger and nuisance to the environment, and in particular, to wildlife and marine animals. Your Committee further finds that many animals are attracted to the bright colors of balloons and mistake them for food, and that animals are often found entangled in balloon strings, causing the animals severe injury or death. The civil monetary penalty established by this measure aims to provide further protection to the environment and wildlife and marine ecosystems.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 347, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 1805 Judiciary & Hawaiian Affairs on S.B. No. 651

The purpose of this measure is to rename the Kahului Airport Access Road on Maui as the Mayor Elmer F. Cravalho Way.

Your Committee received testimony in support of this measure from the Department of Transportation, one member of the Maui County Council, and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that Elmer Franklin Cravalho served as the first speaker of the State House of Representatives following statehood and the first mayor of Maui County from 1969 to 1979. Your Committee further finds that he is credited for much of Maui's development, and in particular, development of a waterline from Wailuku to Wailea, which enabled the development of Kihei. Your Committee believes that Mayor Elmer F. Cravalho has a clear connection to Maui's history and should be remembered for his civil service by renaming the Kahului Airport Access Road the Mayor Elmer F. Cravalho Way in his honor.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 651, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 1806 Finance on S.B. No. 224

The purpose of this measure is to:

- (1) Require public schools that have a career and technical education program to enroll all students, including students who reside outside of the school's service area, who submit a timely application for participation in the program, subject to certain capacity requirements; and
- (2) Exempt a student enrolled in a career and technical education program from the requirement to attend school within the service area in which the student resides.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association and one individual. Your Committee received comments on this measure from the Department of Education and HawaiiKidsCAN.

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.B. No. 224, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, Perruso).

SCRep. 1807 Finance on S.B. No. 806

The purpose of this measure is to require the Attorney General, on behalf of the Department of Education, to:

- (1) Institute proceedings to acquire certain land owned by the Mililani Town Association by voluntary action or condemnation; and
- (2) Indemnify the Mililani Town Association for all claims and liabilities against the Mililani Town Association that may arise concerning the property until the process is complete.

Your Committee received testimony in support of this measure from the Department of Education and one individual. Your Committee received comments on this measure from the Department of the Attorney General.

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.B. No. 806, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, Perruso).

SCRep. 1808 Finance on S.B. No. 808

The purpose of this measure is to:

- (1) Rename the School Facilities Agency as the School Facilities Authority;
- (2) Clarify the powers and responsibilities of the School Facilities Authority, Authority's Executive Director and administrative staff, and School Facilities Board;
- (3) Clarify the membership of the School Facilities Board;
- (4) Amend the law pertaining to the deposit of monies into the School Facilities Special Fund;
- (5) Change the deadline for the School Facilities Authority to submit its report to the Legislature pursuant to Act 72, Session Laws of Hawaii 2020, to twenty days prior to the convening of the Regular Session of 2022;
- (6) Amend Act 210, Session Laws of Hawaii 2018, to require the City and County of Honolulu to convey to the School Facilities Authority fee simple interest in certain properties not previously conveyed to the Department of Education;
- (7) Authorize the School Facilities Authority to retain private attorneys to provide certain legal services;

- (8) Exempt the Executive Director of the School Facilities Authority and the Authority's full-time staff from civil service requirements;
- (9) Subject to the statutory restriction on the sale or gift of lands without legislative approval lands to which the School Facilities Authority holds title;
- (10) Clarify the definition of the term "school facilities" as the term relates to school impact fees;
- (11) Transfer the total balance of the State Educational Facilities Improvement Fund to the School Facilities Special Fund by an unspecified date; and
- (12) Appropriate monies into and out of the School Facilities Special Fund.

Your Committee received testimony in support of this measure from the Democratic Party of Hawai'i and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received comments on this measure from the Office of Hawaiian Affairs, Department of the Attorney General, Department of Transportation, Department of Education, State Procurement Office, and General Contractors Association 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 is in accord with the intent and purpose of S.B. No. 808, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, Perruso).

SCRep. 1809 Finance on S.B. No. 814

The purpose of this measure is to:

- (1) Require members of the Charter School Commission to collectively possess strong experience and expertise in various fields;
- (2) Allow the authorizer's staff to provide technical support up until the completed charter application is submitted to the authorizer;
- (3) Clarify charter application notice requirements; and
- (4) Clarify authorizer compliance requirements in cases of an appeal.

Your Committee received testimony in support of this measure from Kulia Academy, Maui Hui Malama, and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Board of Education and State Public Charter School Commission.

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.B. No. 814, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, Perruso).

SCRep. 1810 Finance on S.B. No. 1384

The purpose of this measure is to provide that the prohibition against serving more than two consecutive terms not to exceed eight consecutive years for members of state boards and commissions does not apply to the term of the representative of Hawaiian medium early learning providers on the Early Learning Board.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, University of Hawai'i at Hilo, Punana Leo o Hilo, Punana Leo o Waimea, Punana Leo o Kona, Punana Leo o Maui, Punana Leo o Lahaina, Punana Leo o Hana, Punana Leo o Molokai, Punana Leo o Manoa, Punana Leo o Honolulu, Punana Leo o Koolau Poko, Punana Leo o Waianae, Punana Leo o Kauai, Punana Leo Keena Kula Kamalii, 'Aha Pūnana Leo, and numerous individuals. Your Committee received comments on this measure from the Early Learning Board.

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.B. No. 1384, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, Perruso).

SCRep. 1811 Finance on S.B. No. 811

The purpose of this measure is to require the Department of Education to publish weekly reports on schools that have reported positive coronavirus disease 2019 (COVID-19) cases on the Department's website, commencing after July 1, 2021.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawaii State Teachers Association, and two individuals. Your Committee received comments on this measure from the Department of Education and Department of Health.

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.B. No. 811, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1812 Finance on S.B. No. 813

The purpose of this measure is to require each charter school authorizer to provide the authorizer's respective charter school with a list of independent auditors, rather than selecting three independent auditors, from which their respective charter school is to select an independent auditor for its annual financial audit.

Your Committee received testimony in support of this measure from the State Public Charter School Commission. Your Committee received testimony in opposition to this measure from the Hawaii Academy of Arts & Science Public Charter School.

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.B. No. 813, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1813 Finance on S.B. No. 1004

The purpose of this measure is to require the Department of Education to include the teaching of financial literacy in the personal/transition plan requirement for each student, beginning with the 2022-2023 school year.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii, Visa Inc., St. Michael the Archangel Parish, Hawaii Credit Union League, and seven individuals. Your Committee received comments on this measure from 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 is in accord with the intent and purpose of S.B. No. 1004, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1814 Finance on S.B. No. 76

The purpose of this measure is to:

- (1) Require the Board of Education to prioritize for the Superintendent of Education position candidates that have the minimum qualification of ten years of employment in the Department of Education, with at least five of those years serving in the capacity as a teacher, principal, or higher; and
- (2) Specify that a desired qualification for a candidate for the position of Superintendent of Education shall be a working understanding of the State's tri-level systems of educational administration.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Board of Education. Your Committee received comments on this measure from one individual.

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.B. No. 76, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (Perruso, Sayama, Tam, McDermott). Noes, none. Excused, none.

SCRep. 1815 Finance on S.B. No. 1015

The purpose of this measure is to require the Comptroller to perform additional office space management duties for state agencies occupying facilities that are managed by the Department of Accounting and General Services.

Your Committee received comments on this measure from the Department of Accounting and General Services.

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.B. No. 1015, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1816 Finance on S.B. No. 838

The purpose of this measure is to:

- (1) Allow person-centered support plans under the Kupuna Caregivers Program to be developed by care recipients and their qualified caregivers and to allow qualified caregivers to remain in the workforce;
- (2) Relax the thirty-hour per week employment requirement for qualified caregivers under the Kupuna Caregivers Program during a Governor-declared state of emergency;
- (3) Allow the Kupuna Caregivers Program to be delivered through either traditional service delivery or kupuna caregiver-directed services;
- (4) Clarify that service providers and coaches are mandated reporters who have received Adult Protective Services training;
- (5) Allow the funds under the Kupuna Caregivers Program to be issued to the care recipient's financial management service provider; and
- (6) Require the Executive Office on Aging to submit an annual report to the Legislature regarding the Kupuna Caregivers Program and adopt administrative rules for the purposes of regulating the Kupuna Caregivers Program.

Your Committee received testimony in support of this measure from the Department of Human Services, Hawaii Family Caregiver Coalition, Rainbow Family 808, AARP Hawai'i, Aloha Chapter of the Alzheimer's Association, and nineteen individuals. Your Committee received comments on this measure from the Executive Office on Aging and Hawaii Alliance for Retired Americans.

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.B. No. 838, S.D. 1, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, Perruso).

SCRep. 1817 Finance on S.B. No. 1018

The purpose of this measure is to:

- (1) Require the Department of Health to establish a two-year reorganization pilot project to shift and reorganize the Department's functions, positions, and funding in the Behavioral Health Services Administration; Environmental Health Administration; General Administration, including the Office of the Director of Health; and Health Resources Administration; and
- (2) Require the reorganization pilot project to begin with the reorganization of the Department of Health's Behavioral Health Services Administration.

Your Committee received testimony in support of this measure from the Department of Health and Hawai'i Psychological Association.

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.B. No. 1018, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, Perruso).

SCRep. 1818 Finance on S.B. No. 1340

The purpose of this measure is to:

- (1) Align Hawaii with national trends and mitigate the unintended consequences associated with the deregulation of Hawaii's emergency medical services system by:
 - (A) Enabling the Hawaii Medical Board to issue licenses for emergency medical responders and other emergency ambulance personnel, which shall be based on certain requirements; and
 - (B) Including emergency medical responders in the State's pre-hospital response;
- (2) Require the Department of Commerce and Consumer Affairs to examine a potential additional licensure category for emergency medical technicians who have received certain certification from the National Registry of Emergency Medical Technicians but who do not provide emergency ambulance services; and
- (3) Appropriate funds from the Compliance Resolution Fund for the Hawaii Medical Board to hire an unspecified number of full-time equivalent positions to administer the licensing program.

Your Committee received testimony in support of this measure from the State Fire Council, American Medical Response, and four individuals. Your Committee received comments on this measure from the Hawaii Medical Board.

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.B. No. 1340, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1819 Finance on S.B. No. 1139

The purpose of this measure is to:

- (1) Authorize the Department of Health to adopt administrative rules to establish patient registration fees for medical cannabis qualifying patients;
- (2) Require the Office of Medical Cannabis Control and Regulation to convene a task force to explore the development of a dual system program of the legalization of cannabis and the impacts of legalization of cannabis on qualifying patients; and
- (3) Appropriate monies from the Medical Cannabis Registry and Regulation Special Fund for Office of Medical Cannabis Control and Regulation positions and operations, including administrative services.

Your Committee received testimony in support of this measure from the Hawai'i Cannabis Industry Association. Your Committee received comments on this measure from the Department of Health, Akamai Cannabis Clinic, and one individual.

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.B. No. 1139, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1820 Judiciary & Hawaiian Affairs on S.B. No. 399

The purpose of this measure is to:

- (1) Provide that certain rights are deemed waived if a preliminary determination of probable cause is rendered during a meeting, subject to the requirements of chapter 92, Hawaii Revised Statutes, and the person fails to request a contested case hearing within twenty days of receipt of the preliminary determination; and
- (2) Authorize the Campaign Spending Commission to have the Commission's order confirmed as a judgment by the First Circuit Court, giving the order the same force and effect as any other judgment issued by the circuit courts.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, and one individual.

Your Committee finds that this measure is limited to those persons who fail to timely request a contested case hearing and will enhance the Campaign Spending Commission's ability to enforce its orders.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 399, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 1821 Finance on S.B. No. 167

The purpose of this measure is to:

- (1) Establish objectives, policies, and priority guidelines for state facility systems in the Hawaii State Planning Act to achieve the use of green infrastructure, vegetation, and trees in state facility systems, infrastructure, and transit projects; and
- (2) Require the Office of Planning, in partnership with the Greenhouse Gas Sequestration Task Force, to make recommendations to the Legislature for implementing the green infrastructure objectives, policies, and priority guidelines.

Your Committee received testimony in support of this measure from the Department of Health, Department of Land and Natural Resources, Office of Hawaiian Affairs, Office of Planning, Climate Protectors Hawai'i, 350Hawaii.org, Trees for Honolulu's Future, and six individuals.

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.B. No. 167, S.D. 1, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Perruso).

SCRep. 1822 Finance on S.B. No. 222

The purpose of this measure is to, beginning July 1, 2022, require the Comptroller's annual report to the Governor and Legislature to include a list of all accounts closed by the Comptroller during the immediately preceding fiscal year and a list of accounts that remain open but that are serving a lapsed program or initiative.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Accounting and General Services.

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.B. No. 222, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Perruso).

SCRep. 1823 Finance on S.B. No. 401

The purpose of this measure is to amend the allowable administrative fines for campaign finance violations. Specifically, this measure allows the Campaign Spending Commission to:

- (1) Fine any noncandidate committee that makes only independent expenditures and has either received at least one contribution of or spent more than \$10,000 in an election period an amount not to exceed:
 - (A) \$5,000 for each occurrence; or
 - (B) Three times the amount of an unlawful contribution or expenditure; and
- (2) Order the fine, or any portion thereof, to be paid from the personal funds of the officers of the noncandidate committee.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii, Common Cause Hawaii, and ten individuals. Your Committee received comments on this measure from the Campaign Spending Commission.

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.B. No. 401, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Perruso).

SCRep. 1824 Finance on S.B. No. 402

The purpose of this measure is to:

- (1) Require expenditures by candidate committees for reimbursements to other individuals, in addition to candidates, to be itemized in schedules filed with the reports to the Campaign Spending Commission; and
- (2) Repeal the requirement that candidate reimbursements be itemized in schedules filed with the reports by noncandidate committees to the Campaign Spending Commission.

Your Committee received testimony in support of this measure from Common Cause Hawaii and nine individuals. Your Committee received comments on this measure from the Campaign Spending Commission.

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.B. No. 402, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Perruso).

SCRep. 1825 Finance on S.B. No. 405

The purpose of this measure is to allow candidates, candidate committees, and noncandidate committees to choose which excess contributions by nonresident contributors to return within thirty days of the end of the election period, after which time all excess contributions shall escheat to the Hawaii Election Campaign Fund.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii, LGBT Caucus of the Democratic Party of Hawaii, and two individuals. Your Committee received comments on this measure from the Campaign Spending Commission, Common Cause Hawaii, and six individuals.

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.B. No. 405, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Perruso).

SCRep. 1826 Finance on S.B. No. 560

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

Your Committee received testimony in support of this measure from FairVote Action, Rainbow Family 808, Green Party Hawai'i, Common Cause Hawaii, and thirteen individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from Young Progressives Demanding Action and the League of Women Voters 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 is in accord with the intent and purpose of S.B. No. 560, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, 1 (McDermott). Excused, 1 (Perruso).

SCRep. 1827 Judiciary & Hawaiian Affairs on S.B. No. 343

The purpose of this measure is to establish the offense of sexual assault of an animal in the State.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Hawaii Association of Animal Welfare Agencies, Hawaiian Humane Society, Healthy Pets United, Pono Advocacy, The Humane Society of the United States, and numerous individuals. Your Committee received comments on this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that the sexual assault of an animal, or bestiality, is prohibited in forty-six states and that, while Hawaii has strong animal cruelty laws, the sexual molestation of animals by humans is not adequately addressed. Your Committee further finds that establishing the sexual assault of an animal as a separate crime will allow state law enforcement officers to better identify potentially dangerous and violent sexual predators in their communities.

Your Committee has amended this measure by:

- (1) Establishing a schedule of penalties for the offense of sexual assault of an animal and clarifying that the penalties are applicable unless otherwise provided by any other law; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the high penalties for the offense of sexual assault of an animal are not just to protect animals, but also intended to be a deterrent against the sexual assault of children because animal abuse is often a precursor to child abuse.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 343, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 343, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 1828 Finance on S.B. No. 336

The purpose of this measure is to increase the maximum amount of each agricultural and aquacultural loan that the Chairperson of the Board of Agriculture may be authorized to approve unilaterally from \$25,000 to \$50,000.

Your Committee received testimony in support of this measure from the Department of Agriculture, Ulupono Initiative, Hawai'i Farm Bureau, and one individual.

Your Committee has amended this measure by blanking out the maximum loan amounts that the Chairperson of the Board of Agriculture may authorize.

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.B. No. 336, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 336, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, Perruso).

SCRep. 1829 Finance on S.B. No. 179

The purpose of this measure is to transfer operational authority over portions of the east Kauai irrigation system operated and maintained by the East Kauai Water Users' Cooperative before December 15, 2020, to the Department of Agriculture.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Office of the Mayor of the County of Kaua'i; Hawai'i Farm Bureau; Ulupono Initiative; Larry Jefts Farms, LLC; East Kauai Water Users' Cooperative; Kalepa Coalition; and one individual. Your Committee received comments on this measure from the Department of Agriculture and Department of the Attorney General.

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.B. No. 179, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1830 Finance on S.B. No. 512

The purpose of this measure is to expand the Hawaii Healthy Food Incentive Program, also known as the Double Up Food Bucks Program, to make fresh fruits and vegetables more readily accessible to families or individuals in Hawaii who receive assistance through the federal Supplemental Nutrition Assistance Program, by:

- (1) Removing the \$10 per visit per day cap on the dollar-for-dollar match received by Supplemental Nutrition Assistance Program beneficiaries under the Double Up Food Bucks Program; and
- (2) Specifying that healthy proteins are eligible purchases under the Program.

Your Committee received testimony in support of this measure from the Department of Health; Office of Planning; Executive Office on Early Learning; City and County of Honolulu Department of Community Services; City and County of Honolulu Office of Climate Change, Sustainability and Resiliency; Pioneering Healthier Communities of Honolulu; AARP Hawai'i; Hawaii Cattlemen's Council, Inc.; Hawaii Medical Service Association; Hawai'i Pacific Health; Land Use Research Foundation of Hawaii; Hawaii Association of Health Plans; Hawaii Food Industry Association; Local Food Coalition; Kamehameha Schools; 'Ohana Health Plan; Neighborhood Place of Puna; Catholic Charities Hawai'i; Hawai'i Community Foundation; Ulupono Initiative; 350Hawaii.org; Blue Zones Project; Hawaii Children's Action Network Speaks!; Climate Protectors Hawaii; The Chamber of Commerce Hawaii; Hawai'i Primary Care Association; AlohaCare; Early Childhood Action Strategy; Obesity Prevention Task Force; Health Committee of the Democratic Party of Hawai'i; Hawaii Appleseed Center for Law & Economic Justice; Hawai'i Alliance for Progressive Action; Hawaii Foodbank; GreenWheel Food Hub; The Food Basket - Hawai'i Island's Food Bank; Hawai'i Alliance for Community-Based Economic Development; Parents And Children Together; Hawai'i Farm Bureau; HOPE Services Hawai'i; We Are One, Inc.; Farm Link Hawai'i; and numerous individuals. Your Committee received comments on this measure from the Department of Human Services, University of Hawai'i System, and American Heart Association.

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.B. No. 512, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 1831 Finance on S.B. No. 772

The purpose of this measure is to:

- (1) Authorize the issuance of special number motor vehicle license plates that commemorate the importance of forest and ocean conservation, and use proceeds to fund conservation efforts for the State's beaches, nearshore environments, and forests; and
- (2) Increase initial application and renewal fees for special number plates.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee has amended this measure by:

- (1) Changing the amounts of the initial application and renewal fees for special number plates to unspecified amounts;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 772, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 772, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 1832 Finance on S.B. No. 1162

The purpose of this measure is to update the Forest Stewardship Program administered by the Board of Land and Natural Resources by:

- (1) Clarifying the purpose of the Forest Stewardship Program;
- (2) Expanding the areas of approved management activities and practices that are eligible for cost-share assistance under the Forest Stewardship Program;
- (3) Increasing the limit for payments from the Forest Stewardship Fund for development of approved management plans and allowing payments from the Fund for implementation of approved management plans; and
- (4) Amending requirements for applicants to receive Forest Stewardship Program funds.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Climate Protectors Hawai'i, and one individual.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, 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 S.B. No. 1162, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1162, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1833 Finance on S.B. No. 793

The purpose of this measure is to repeal the provision allowing for employment at wages below the minimum wage for individuals with disabilities.

Your Committee received testimony in support of this measure from the Department of Health, Disability and Communication Access Board, State Council on Developmental Disabilities, State Rehabilitation Council, Hawaii State Committee of Blind Vendors, Rainbow Family 808, Hawaii Disability Rights Center, PHOCUSED, National Federation of the Blind of Hawaii, Hawaii State Teachers Association, Democratic Party of Hawaii Labor Caucus, Maui Chapter of the Hawaii Self Advocacy Advisory Council, Democratic Party of Hawai'i, Health Committee of the Democratic Party of Hawai'i, HOPE Services Hawai'i, Hawaii Clubhouse Advocacy Coalition, Hawai'i Health & Harm Reduction Center, Neighborhood Place of Puna, Waimea Easterseals Hawaii, and fifteen individuals. Your Committee received comments on this measure from the Department of Labor and Industrial Relations and one individual.

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.B. No. 793, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 1834 Finance on S.B. No. 1187

The purpose of this measure is to make an emergency appropriation to the Department of Public Safety to provide the State's correctional institutions and the Health Care Division with sufficient funds to cover the cost of personnel to provide continuous operations and response to the COVID-19 pandemic.

Your Committee received testimony in support of this measure from the Department of Public Safety and one individual.

Your Committee has amended this measure by:

- (1) Changing the amount of the appropriation from \$6,006,892 to \$6,006,000; and
- (2) Making it effective upon approval.

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.B. No. 1187, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1187, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Eli, Perruso).

SCRep. 1835 Finance on S.B. No. 1194

The purpose of this measure is to make emergency appropriations to the Department of Public Safety to continue funding for certain programs and activities related to COVID-19 response efforts.

Your Committee received testimony in support of this measure from the Department of Public Safety and one individual.

Your Committee has amended this measure by:

- (1) Inserting the following appropriation amounts for fiscal year 2020-2021:
 - (A) \$2,106,460 for healthcare professional costs and inmate hospitalization expenses at non-state facilities for Hawaii inmates;
 - (B) \$1,100,000 for providing food services and deep cleaning, disinfecting, and sanitizing departmental offices and correctional facilities; and
 - (C) \$136,201 for security costs, overtime, and other payroll costs for ten existing deputy sheriff positions providing security screening and protocols for the Safe Travels Hawaii Program; and
- (2) Making it effective upon its approval.

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.B. No. 1194, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1194, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Eli, Perruso).

SCRep. 1836 Judiciary & Hawaiian Affairs on S.B. No. 1034

The purpose of this measure is to:

- (1) Authorize boards to use interactive conference technology to remotely conduct meetings under the State's open meetings law, also known as the Sunshine Law;
- (2) Allow for additional courtesy sites open to the public for meetings held by interactive conference technology;
- (3) Require a meeting held by interactive conference technology to be automatically recessed for up to one hour to restore communication under certain circumstances; and
- (4) Require public notices of board meetings to include the board's electronic and postal contact information for submission of testimony before the meeting.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Department of Land and Natural Resources, Department of Transportation, Hawai'i Civil Rights Commission, Office of Information Practices, Disability and Communication Access Board, State Council on Developmental Disabilities, Board of Trustees of the Hawaii Employer-Union Health Benefits Trust Fund, Board of Trustees of the Employees' Retirement System, two members of the Maui County Council, Honolulu Authority for Rapid Transportation, Civil Beat Law Center for the Public Interest, Hawaii Chapter of the Society of Professional Journalists, Common Cause Hawaii, Transform Hawai'i Government, National Federation of the Blind of Hawaii, and nine individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that the ability to allow the public to view and participate in meetings of public agencies is of vital importance for democracy to thrive. Your Committee further finds that during the coronavirus disease 2019 (COVID-19) pandemic, the State's Sunshine Law was suspended to ensure the health and safety of employees and the public, changing the focus from in-person meetings to remote meetings. Remote meetings have increased transparency by allowing more members of the public to participate, regardless of their physical location. Your Committee believes that this practice should continue, thereby increasing transparency and engagement.

Your Committee has amended this measure by:

- (1) Requiring that the interactive conference technology used by the board for remote meetings allow audiovisual interaction among all members of the board participating in the meeting and all members of the public attending the meeting;
- (2) Requiring a member of the public to request a meeting location that is open to the public and has audiovisual connection at least three working days before the meeting, rather than seventy-two hours before the meeting;
- (3) Clarifying that the provision of additional locations open to the public is optional;
- (4) Requiring all board members participating in a remote meeting held by interactive conference technology to be visible and audible to other members and the public during the meeting, subject to certain limitations, rather than only requiring a quorum of board members to be visible and audible;
- (5) Requiring a roll call vote for board action items, instead of every vote by the board which would have included votes on procedural matters such as the approval of minutes or adjournment; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that if a person requests accommodations, such as an interpreter, for a board meeting and the board meeting goes beyond the scheduled end time, the board should end the meeting at the scheduled time and notice a new meeting date and time to ensure that the person who requested accommodations may fully access the meeting.

Your Committee also notes that public libraries with computer availability satisfy the public access requirements under this measure to the extent authorized under local public library rules.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1034, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1034, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 3 (D. Kobayashi, LoPresti, Todd).

SCRep. 1837 Judiciary & Hawaiian Affairs on S.B. No. 540

The purpose of this measure is to:

- (1) Allow for lesser emergency period penalties to be adopted by the Governor or a mayor;
- (2) Amend the State's existing traffic infraction laws to incorporate emergency period infractions so that they are adjudicated in the same manner;
- (3) Allow electronic copies of notices of infractions, infraction adjudication hearings, and notices of infraction judgments to be sent via electronic mail; and
- (4) Grant the district court concurrent jurisdiction over emergency period rule infractions committed by minors.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Office of the Public Defender, Department of the Prosecuting Attorney of the County of Maui, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawai'i Lodging & Tourism Association, Maui Chamber of Commerce, and one individual.

Your Committee finds that the Governor and county mayors have had to exercise their emergency powers during the COVID-19 pandemic to limit the spread of the virus, protect the health and safety of the community, manage medical resources, and restart the economy. This measure is intended to provide the Governor and mayors with more flexibility to adopt a range of lesser penalties for more meaningful and effective enforcement of emergency orders.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 540, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 540, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 1838 Judiciary & Hawaiian Affairs on S.B. No. 834

The purpose of this measure is to establish the felony offense of importation, sale, or possession of a childlike sex doll.

Your Committee received testimony in support of this measure from the Office of the Prosecuting Attorney of the County of Hawai'i, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, and three individuals.

Your Committee recognizes a correlation between possession of a childlike sex doll and other offenses perpetrated against children. Your Committee finds that a Johns Hopkins School of Medicine paraphilia researcher has opined that contact with a childlike sex doll is likely to reinforce pedophilic thoughts and cause those thoughts to be acted upon with greater urgency. Your Committee also finds that other jurisdictions have enacted laws to help protect minors from the harm associated with childlike sex dolls by imposing criminal penalties for selling or possessing a childlike sex doll.

Your Committee has amended this measure by specifying that childlike sex dolls are those that resemble a person below the age of puberty, rather than below the age of eighteen years.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 834, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 834, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 1839 Judiciary & Hawaiian Affairs on S.B. No. 309

The purpose of this measure is to add the intentional creation, disclosure, or threat of disclosure of certain types of realistic deep fake images or videos to the offense of violation of privacy in the first degree, subject to specified exemptions.

Your Committee received testimony in support of this measure from Imua Alliance, International Alliance of Theatrical Stage Employees Local 665, and one individual. Your Committee received comments on this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and Honolulu Police Department.

Your Committee finds that deep fake technology enables the creation of synthetic media in which a person in an existing image or video is replaced with the likeness of another person. Your Committee further finds that this measure will protect the privacy of a person's likeness by prohibiting the unauthorized use of deep fake technology.

Your Committee has amended this measure by:

- (1) Deleting language that would have required a depicted person to suffer harm as a result of a realistic photographic image or video being created, disclosed, or threatened to be disclosed as an act of revenge or retribution;
- (2) Deleting language that would have specifically amended the exception to the offense of violation of privacy in the first degree to apply to realistic photographic images or videos, instead of all images or videos; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 309, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 309, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 1840 Finance on S.B. No. 1101

The purpose of this measure is to:

- (1) Establish the Safe Home Program to provide matching and nonmatching grants for the installation of wind resistive devices to single-family, owner-occupied, residential property owners, in certain circumstances;

- (2) Allocate a portion of the monies earned through interest from the Hurricane Reserve Trust Fund's assets to provide grants under the Safe Home Program; and
- (3) Establish one temporary full-time equivalent position within the Insurance Division of the Department of Commerce and Consumer Affairs to implement and administer the Safe Home Program.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Hawaii State Energy Office; Hawaii Emergency Management Agency; Hawaii Green Infrastructure Authority; City and County of Honolulu Office of Climate Change, Sustainability and Resiliency; and three individuals. Your Committee received comments on this measure from the State Procurement Office, Hawaii Insurers Council, and American Insurance Group, Inc.

Your Committee has amended this measure by:

- (1) Appropriating general funds, rather than funds out of the Hurricane Reserve Trust Fund, for purposes of funding the Safe Home Program Trust Fund; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1101, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1101, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1841 Finance on S.B. No. 332

The purpose of this measure is to temporarily amend for one year the powers and duties of the Comptroller to reduce the preaudit requirements of all proposed payments to expenditures by:

- (1) Increasing the minimum dollar amount of proposed payments to be preaudited from \$10,000 to \$100,000; and
- (2) Allowing, rather than requiring, the Comptroller to preaudit proposed payments of expenditures of up to \$100,000.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Accounting and General Services.

Your Committee has amended this measure by:

- (1) Changing the minimum dollar amount of proposed payments required to be preaudited by the Comptroller and the threshold dollar amount for proposed payments that the Comptroller may preaudit to unspecified amounts; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 332, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 332, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, Perruso).

SCRep. 1842 Finance on S.B. No. 246

The purpose of this measure is to establish the State Government Realignment Commission to periodically review the executive branch's departments, divisions, and agencies, including functions and services, and submit its findings and recommendations to the Legislature.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed H.D. 2, which preserves the contents on this measure and additionally:

- (1) Inserts appropriations of unspecified amounts from funds received by the State from the American Rescue Plan Act for various broadband infrastructure installation and expansion projects throughout the State; and
- (2) Requires the Department of Accounting and General Services and Department of Transportation to submit an annual report regarding the various broadband infrastructure installation and expansion projects.

Your Committee received testimony in support of the proposed H.D. 2 from the Department of Business, Economic Development, and Tourism and Department of Transportation. Your Committee received comments on the proposed H.D. 2 from the Judiciary, Department of Education, Department of Budget and Finance, and Department of Accounting and General Services.

Your Committee has amended this measure by adopting the proposed H.D. 2 and further amending the measure by 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 246, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 246, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1843 Finance on S.B. No. 1329

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

- (1) Require the Chief Procurement Officer or designee to address protests as expeditiously as possible;
- (2) Establish time limits to resolve protests to the awards of competitive sealed proposal contracts and procurements of professional services, if the protest is not resolved by mutual agreement, unless extenuating circumstances require additional time; and
- (3) Specify that a protest shall prevail if the protest is not resolved by mutual agreement and the Chief Procurement Officer or designee does not issue a

decision within the established time limits.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Department of Human Services; CONSOR Engineers; American Council of Engineering Companies of Hawaii; Ronald N.S. Ho & Associates, Inc.; Yogi Kwong Engineers, LLC; Hart Crowser, Inc.; and one individual. Your Committee received comments on this measure from the Department of Accounting and General Services; Department of Transportation; State Procurement Office; Associated Builders and Contractors, Hawaii Chapter; and General Contractors Association of Hawaii.

Your Committee has amended this measure by:

- (1) Deleting language that would have specified that a protest shall prevail if the protest is not resolved by mutual agreement and the Chief Procurement Officer or designee does not issue a decision within the established time limits;
- (2) Inserting the substantive contents of H.B. No. 1054, H.D. 1, a measure that amends the cash or protest bond amount for a party initiating an administrative proceeding for review of a decision on the solicitation or award of a competitive sealed bidding or competitive sealed proposal contract; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1329, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1329, S.D. 2, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1844 Judiciary & Hawaiian Affairs on S.B. No. 200

The purpose of this measure is to clarify that the requirement for a candidate or candidate committee to file a late contribution report before an election applies only if the candidate appears on the election ballot and makes or receives contributions in excess of \$500.

Your Committee received testimony in support of this measure from the Campaign Spending Commission and one individual. Your Committee received testimony in opposition to this measure from Common Cause Hawaii.

Your Committee finds that this measure clarifies that the late contribution report due on the third calendar day before an election is not required if candidates are not on the ballot. This is consistent with the requirements for preliminary candidate and candidate committee reports.

Your Committee has amended this measure by:

- (1) Amending the amount of contributions that trigger the requirement to file a late contribution report from \$500 to an unspecified amount; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 200, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 200, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 1845 Judiciary & Hawaiian Affairs on S.B. No. 403

The purpose of this measure is to:

- (1) Exempt certain unsuccessful candidates and those candidates who are elected to office in a primary election from the requirement of filing preliminary general reports for the following general election; and
- (2) Clarify the aggregate contribution and expenditure amounts that trigger the requirement for a candidate or noncandidate committee to file only the final election period report.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, and one individual.

Your Committee finds that reporting requirements under campaign finance law are necessary to maintain transparency and fairness in the election process. Your Committee further finds that preliminary reports are due throughout the spring, summer, and fall in an election year. However, the final two preliminary reports are due between the primary election and subsequent general election. Your Committee therefore finds that requiring candidates who are either unsuccessful or who have been elected to office in a primary election to file preliminary reports between the primary and general election is unnecessary.

Your Committee has amended this measure by:

- (1) Changing the aggregate contribution and expenditure amounts that trigger the requirement for a candidate or noncandidate committee to file only the final election report to an unspecified amount; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 403, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 403, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 1846 Judiciary & Hawaiian Affairs on S.B. No. 404

The purpose of this measure is to amend the requirements for a statement of information filed by each person who makes an expenditure for electioneering communications by:

- (1) Amending the monetary threshold that triggers disclosure of electioneering communications;
- (2) Requiring that disclosures of electioneering communications occur on the date the electioneering communications are publicly distributed;
- (3) Classifying election advertisements sent by mail at any postal rate as electioneering communications;

- (4) Exempting communications that are actual expenditures by an expending organization from being considered electioneering communications; and
- (5) Repealing the requirement that a person be treated as having made an expenditure if the person has executed a contract to make the expenditure.

Your Committee received testimony in support of this measure from Common Cause Hawaii. Your Committee received comments on this measure from the Campaign Spending Commission, League of Women Voters of Hawaii, and one individual.

Your Committee finds that electioneering communications are meant to expose noncandidate influences on elections which have been shown to radically influence the outcomes of elections in the State.

Your Committee has amended this measure by:

- (1) Changing the monetary threshold that triggers disclosure of electioneering communications from an unspecified amount to \$1,000;
- (2) Requiring that disclosures of electioneering communications occur only on the first date a person has made the expenditures, instead of on the date the electioneering communications are publicly distributed;
- (3) Excluding candidates and candidate committees from electioneering communication disclosure requirements;
- (4) Restoring language that required a person to be treated as having made an expenditure if the person has executed a contract to make the expenditure; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 404, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 404, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 1847 Judiciary & Hawaiian Affairs on S.B. No. 615

The purpose of this measure is to:

- (1) Amend the definition of "motor scooter" under the Hawaii Highway Safety Act and the Statewide Traffic Code;
- (2) Require all moped and motor scooter rental companies to ensure the rider wears a safety helmet supplied either by the company or the renter, except for riders with a motorcycle license; and
- (3) Prohibit the rental of any moped or motor scooter with aftermarket modifications.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, and numerous individuals. Your Committee received comments on this measure from AAA Hawaii.

Your Committee finds that wearing a helmet while operating a moped, powered scooter, or other motorized cycle decreases fatalities and serious injuries. According to the Hawaii Injury Prevention Plan for 2012-2017, published by the Emergency Medical Services and Injury Prevention System Branch of the Department of Health, properly worn helmets prevent deaths and brain injuries. Your Committee further finds that helmets reduce the risk of death by forty-two percent and the risk of a head injury by sixty-nine percent. This measure will require certain moped and motor scooter operators to wear helmets, thereby mitigating fatalities and traumatic brain injuries on Hawaii's roadways and ensuring the safety of residents and visitors.

Your Committee has amended this measure by:

- (1) Prohibiting persons from leasing or renting a moped or motor scooter to another person unless the moped or motor scooter is equipped with a flag; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 615, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 615, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (McKelvey). Noes, none. Excused, none.

SCRep. 1848 Finance on S.B. No. 375

The purpose of this measure is to require the Department of Transportation to conduct a study to determine the feasibility of repairing or renovating the Kalaeloa Airport air traffic control tower.

Your Committee received testimony in support of this measure from the Department of Transportation and Palehua Townhouse Association. Your Committee received comments on this measure from the Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34.

Your Committee has amended this measure by:

- (1) Deleting language that would have required the Department of Transportation to:
 - (A) Collaborate with the Department of Defense and Federal Aviation Administration to conduct a study to determine the feasibility of repairing or renovating the Kalaeloa Airport air traffic control tower; and
 - (B) Submit a report of its findings and recommendations, including any proposed legislation, to the Legislature; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 375, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 375, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1849 Finance on S.B. No. 57

The purpose of this measure is to:

- (1) Codify the requirement for the Director of Transportation to supervise and certify vehicle inspectors; establish standards, certificates, and examinations for inspectors; and monitor activities and conduct investigations of reported or suspected improper inspection activities;
- (2) Temporarily repeal the requirement for reconstructed vehicles to obtain a special inspection and certification; and
- (3) Require the Department of Transportation to report to the Legislature on the effects of the repeal.

Your Committee received testimony in support of this measure from the Department of Transportation; 4Runnation, Hawaii; 808 Street Rods; Oahu Motorsports Association; and numerous individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Honolulu Police Department.

Your Committee has amended this measure by:

- (1) Changing the effective date and the repeal date for the temporary repeal of the requirement for reconstructed vehicles to obtain a special inspection and certification to January 1, 2052, and July 31, 2055, to encourage further discussion; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 57, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 57, S.D. 2, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (Perruso). Noes, none. Excused, 1 (McDermott).

SCRep. 1850 Finance on S.B. No. 350

The purpose of this measure is to require the Department of Health to:

- (1) Direct the Clean Water Branch of the Environmental Management Division to continue to test water quality during brown water advisories, as practicable;
- (2) Issue health advisories during brown water advisories that explain the health risks associated with water runoff; and
- (3) Consider environmental justice issues when making certain assessments and determinations.

Your Committee received testimony in support of this measure from the Friends of Maha'ulepu, Surfrider Foundation Kauai Chapter, Kihei Community Association, Clean The Pacific, Surfrider Foundation Hawai'i Region, and eighteen individuals. Your Committee received testimony in opposition to this measure from the Department of Health. Your Committee received comments on this measure from one individual.

Your Committee has amended this measure by:

- (1) Inserting an unspecified appropriation amount for an unspecified number of full-time equivalent positions for the Department of Health; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, 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 S.B. No. 350, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 350, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, Perruso).

SCRep. 1851 Finance on S.B. No. 932

The purpose of this measure is to:

- (1) Establish and appropriate funds out of the Clean Energy and Energy Efficiency Revolving Loan Fund to provide financial assistance for investments in a broad range of clean energy technologies;
- (2) Authorize monies in the Hawaii Green Infrastructure Special Fund to be used to finance the option to purchase solar energy systems and other clean energy equipment, including the purchase or lease of electric vehicles and installation of electric vehicle charging systems; and
- (3) Repeal the Building Energy Efficiency Revolving Loan Fund.

Your Committee received testimony in support of this measure from the Hawaii Green Infrastructure Authority; Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu; Climate Protectors Hawai'i; 350Hawaii; Environmental Caucus of the Democratic Party of Hawai'i; Blue Planet Foundation; Hawaiian Electric Company; and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Budget and Finance, and Hawaii State Energy Office.

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.B. No. 932, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1852 Finance on S.B. No. 1353

The purpose of this measure is to clarify the core responsibilities of the Hawaii State Energy Office by:

- (1) Expanding the purpose of the Hawaii State Energy Office; and
- (2) Transferring all duties relating to energy efficiency, renewable energy, energy resilience, and clean transportation related incentives, programs, and goals from the Chief Energy Officer to the Hawaii State Energy Office.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Climate Protectors Hawai'i, Citizens' Climate Lobby Hawaii, 350Hawaii.org, and five individuals. Your Committee received testimony in opposition to this measure from the Environmental Caucus of the

Democratic Party of Hawai'i. Your Committee received comments on this measure from the Hawaii Clean Power Alliance.

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.B. No. 1353, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1853 Judiciary & Hawaiian Affairs on S.B. No. 367

The purpose of this measure is to waive the federal Clean Water Act's requirement for section 401 water quality certification for certain small-scale beach restoration projects authorized by the Department of Land and Natural Resources.

Your Committee received testimony in support of this measure from the Department of Health, Department of Land and Natural Resources, Mayor of the County of Maui, Hawai'i Shore and Beach Preservation Association, Waikiki Beach Special Improvement District Association, and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that Hawaii is losing its beaches at an alarming rate due to chronic beach erosion, sediment deficiencies, sea-level rise, and shoreline armoring. Your Committee further finds that while the Department of Land and Natural Resources promotes adaptive ecosystem-based management approaches to mitigate erosion and beach loss, these restoration and maintenance activities must be authorized in a streamlined manner and on a recurring basis to be effective. Waiving the section 401 water quality certification requirement for small-scale beach restoration permit applicants that have met the regulations and qualifying criteria needed to receive a notice of authorization to proceed from the Department will ensure that the program functions efficiently and responsibly.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 367, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 367, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 1854 Judiciary & Hawaiian Affairs on S.B. No. 280

The purpose of this measure is to:

- (1) Codify the administrative definition of "assistance animal" for the purposes of real estate transactions;
- (2) Clarify the type of verification an individual may provide to establish the need for an assistance animal; and
- (3) Specify that the possession of a vest or other distinguishing animal garment, tag, or registration document commonly purchased online and purporting to identify an animal as a service animal or assistance animal does not constitute a valid verification of a disability-related need for an assistance animal.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Hawaii Disability Rights Center, Hawai'i Association of REALTORS, Associa, and two individuals. Your Committee received comments on this measure from the Disability and Communication Access Board and Community Associations Institute.

Your Committee finds that a person with a disability that includes the use of an assistance animal should be provided equal opportunity to use and enjoy a housing accommodation. Your Committee further finds that the requirements imposed by this measure strike an appropriate balance between the needs of both parties to the real estate transaction.

Your Committee has amended this measure by:

- (1) Authorizing, rather than requiring, verification of the disability-related need for an assistance animal as a reasonable accommodation, when the need is not readily apparent, to be in writing; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 280, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 280, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

SCRep. 1855 Consumer Protection & Commerce on S.B. No. 1021

The purpose of this measure is to include the use of traditional Native Hawaiian burial practices in the treatment and disposal of human remains, including the use of alkaline hydrolysis and natural organic reduction.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Willed Body Program of the University of Hawaii John A. Burns School of Medicine; Fisher & Associates Consulting, LLC; Aloha Mortuary; Ken Ordenstein Funerals; and eleven individuals. Your Committee received testimony in opposition to this measure from Nuuanu Memorial Park & Mortuary; Mililani Group, Inc.; Hawaii Funeral & Cemetery Association, Inc.; Dodo Mortuary, Inc.; Leeward Funeral Home; Hawaiian Memorial Life Plan, Ltd.; and one individual.

Your Committee finds that traditional Hawaiian burial practices are deeply integral to Hawaiian culture and identity and offer a cost-effective and environmentally friendly alternative to modern treatments of human remains. This measure addresses certain barriers to the traditional Hawaiian method of preparing human remains, which will enable the restoration and revival of traditional Native Hawaiian burial practices and values.

Your Committee has amended this measure by:

- (1) Deleting all references to natural organic reduction and natural organic reduction facilities; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1021, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached

hereto as S.B. No. 1021, S.D. 2, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

SCRep. 1856 Finance on S.B. No. 628

The purpose of this measure is to:

- (1) Begin the transfer of the Oahu Regional Health Care System in its entirety from the Hawaii Health Systems Corporation to the Department of Health;
- (2) Authorize the Department of Health to conduct long-term care and substance abuse treatment at Leahi Hospital and Maluhia and to pay rent for the use of the Leahi Hospital property;
- (3) Require the Department of Health to consult with the University of Hawaii regarding programs at Leahi Hospital and Maluhia and allow University of Hawaii students to rotate through those facilities for training purposes;
- (4) Prohibit the planned elimination or reduction of direct patient care services at Leahi Hospital or Maluhia unless certain conditions are met;
- (5) Establish a working group to enable the Oahu Regional Health Care System, Department of Health, Hawaii Health Systems Corporation, and other state agencies to develop, evaluate, and implement the processes required to complete the transition;
- (6) Clarify the rights, powers, and exemptions of the Oahu Regional System Board during the transition period of the Oahu Regional Health Care System into the Department of Health, and the rights, powers, and exemptions of the Inpatient Services Division of the Department of Health after the transition is complete;
- (7) Authorize the issuance of general obligation bonds for improvements to Leahi Hospital and Maluhia; and
- (8) Appropriate funds from the Mental Health and Substance Abuse Special Fund to operate Leahi Hospital and Maluhia.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Kapi'olani Medical Center for Women and Children, Hawaii Health Systems Corporation, Oahu Region of the Hawaii Health Systems Corporation, and The Queen's Health Systems. Your Committee received testimony in opposition to this measure from the State Procurement Office. Your Committee received comments on this measure from the Department of the Attorney General; Department of Health; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and United Public Workers, AFSCME Local 646, AFL-CIO.

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.B. No. 628, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1857 Finance on S.B. No. 506

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist Wahiawa General Hospital with its long-term debt restructuring.

Your Committee received testimony in support of this measure from Wahiawa General Hospital; United Public Workers, AFSCME Local 646, AFL-CIO; and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee has amended this measure by:

- (1) Changing the authorized special purpose revenue bonds amount from an unspecified amount to \$12,000,000;
- (2) Changing the effective date to July 1, 2021; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 506, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 506, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1858 Finance on S.B. No. 1137

The purpose of this measure is to amend the cap for the Spouse and Child Abuse Special Fund to allow for federal reimbursements received from the United States Department of Health and Human Services, Administration for Children and Families, to be retained in the year following the fiscal year in which Family First Prevention Services funds and Title IV-E funds were expended.

Your Committee received testimony in support of this measure from Rainbow Family 808. Your Committee received comments on this measure from the Department of Human Services.

Your Committee has amended this measure by:

- (1) Inserting a five-year sunset on the Spouse and Child Abuse Special Fund and specifying that any unencumbered remaining balances shall lapse to the general fund; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1137, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1137, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1859 Finance on S.B. No. 263

The purpose of this measure is to:

- (1) Transfer oversight of the Made in Hawaii Program as it relates to manufactured products to the Department of Business, Economic Development, and Tourism;
- (2) Place the Grown in Hawaii Program under the management of the Department of Agriculture;
- (3) Transfer ownership of the "Made in Hawaii with Aloha" trademark from the Department of Agriculture to the Department of Business, Economic Development, and Tourism; and
- (4) Appropriate funds to the Department of Business, Economic Development, and Tourism for the oversight and administration of the Made in Hawaii Program and for the promotion of the "Made in Hawaii with Aloha" brand.

Your Committee received testimony in support of this measure from the Young Democrats of Hawai'i.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed H.D. 2, which preserves the contents of this measure and additionally inserts language that:

- (1) Requires the creation and publication of a master plan for the marketing and advertising activities of the Department of Agriculture; Department of Business, Economic Development, and Tourism; and Department of Land and Natural Resources; and
- (2) Requires expenditures of monies for marketing and advertising to be done in accordance with the master plan.

Your Committee received comments on the proposed H.D. 2 from the Department of Business, Economic Development, and Tourism.

Your Committee has amended this measure by adopting the proposed H.D. 2 and further amending it by:

- (1) Changing the entity responsible for oversight of the Made in Hawaii Program and the appropriation for the oversight of the program to an unspecified department;
- (2) Changing the entity receiving ownership of the "Made in Hawaii with Aloha" trademark from the Department of Agriculture to an unspecified department; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 263, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 263, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1860 Finance on S.B. No. 935

The purpose of this measure is to:

- (1) Establish the Office of Aerospace Development in the Hawaii Technology Development Corporation instead of the Department of Business, Economic Development, and Tourism;
- (2) Repeal references to the Pacific International Space Center for Exploration Systems;
- (3) Transfer the rights, powers, functions, and duties of the Pacific International Space Center for Exploration Systems to the Office of Aerospace Development;
- (4) Allow the Aerospace Advisory Committee to select the Director of the Office of Aerospace Development; and
- (5) Reduce the number of members on the Aerospace Advisory Committee.

Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; Pacific International Space Center for Exploration Systems; and one individual.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation to the University of Hawaii for the Pacific International Space Center for Exploration Systems at the University of Hawaii at Hilo Iimiloa Astronomy Center;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 935, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 935, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1861 Finance on S.B. No. 1196

The purpose of this measure is to:

- (1) Amend the due date for employers to file the wage and tax statement, or Form W-2, from the last day of February to January 31 following the close of the calendar year; and
- (2) Impose a penalty on employers that fail to timely furnish and file the wage and tax statement.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee has amended this measure by changing the penalty amounts imposed on employers that fail to timely furnish and file the wage and tax statement to unspecified amounts.

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.B. No. 1196, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1196, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (Perruso).

SCRep. 1862 Finance on S.B. No. 1412

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist HK Management LLC, in planning, designing, constructing, reconstructing, renovating, acquiring, equipping, and improving surf industry center facilities.

Your Committee received testimony in support of this measure from Treehouse Coworking; Hawaii Ocean Education Foundation; Kai Law, LLC; and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee has amended this measure by changing the amount of special purpose revenue bonds authorized to be issued from \$95,000,000 to an unspecified sum.

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.B. No. 1412, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1412, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Eli, Perruso).

SCRep. 1863 Finance on S.B. No. 1421

The purpose of this measure is to:

- (1) Create a Dual Use Technology Task Force within the Department of Business, Economic Development, and Tourism to explore how dual use technology can be used to promote economic recovery and diversify the State's economy; and
- (2) Require the task force to submit reports to the Legislature prior to the Regular Sessions of 2023 and 2025.

Your Committee received testimony in support of this measure from Oceanit and Chamber of Commerce Hawaii. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; and Hawaii Technology Development Corporation.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

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.B. No. 1421, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1421, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, 1 (Perruso). Excused, none.

SCRep. 1864 Finance on S.B. No. 579

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist House of Aloha Enterprises LLC, with planning, designing, constructing, and equipping of facilities in Hawaii for the manufacturing and processing of certain products.

Your Committee received testimony in support of this measure from the Hawaiian Legacy Reforestation Initiative; Mason Industries, LLC; and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee has amended this measure by:

- (1) Changing the special purpose revenue bond amount to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

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.B. No. 579, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 579, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 13; Ayes with Reservations (B. Kobayashi, Tam). Noes, 2 (Perruso, Wildberger). Excused, none.

SCRep. 1865 Finance on S.B. No. 1053

The purpose of this measure is to expand the eligibility of organizations that may receive community-based economic development technical and financial assistance beyond community-based organizations to also include for-profit businesses.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawai'i Primary Care Association; and one individual.

Your Committee has amended this measure by:

- (1) Changing the maximum grant amount that may be given to an applicant of the Hawaii Community-Based Economic Development Technical and Financial Assistance Program to an unspecified amount; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1053, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1053, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 1866 Judiciary & Hawaiian Affairs on S.B. No. 714

The purpose of this measure is to clarify that the Hawaii Publicity Rights Act applies retroactively to protect the publicity rights of individuals who died before its enactment.

Your Committee received testimony in support of this measure from nine individuals.

Your Committee finds that the Hawaii Publicity Rights Act was enacted on July 15, 2009, to recognize the existence of the right of publicity as a property right in the commercial use of a person's name, voice, signature, likeness, and other commercially valuable attributes. Your Committee further finds that the Hawaii Publicity Rights Act allows the people of Hawaii to protect their legacy and rights that are not covered by federal copyright law or state and federal trademark laws. Your Committee also finds that the Legislature's intent in enacting the Hawaii Publicity Rights Act was to recognize the right of publicity held by persons living and dead, even if their death occurred before the enactment of the Hawaii Publicity Rights Act. This measure will make that intention explicit.

Your Committee has amended this measure by changing the effective date to take effect retroactive to July 15, 2009.

Your Committee notes that this measure will protect the rights of individuals who died before the enactment of the Hawaii Publicity Rights Act but shall not be deemed to affect any rights previously litigated.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 714, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 714, S.D. 1, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Todd).

SCRep. 1867 Finance on S.B. No. 548

The purpose of this measure is to:

- (1) Amend the State's election laws to clarify and improve the administration of elections by mail;
- (2) Establish a Statewide Voters with Special Needs Advisory Committee and County Voters with Special Needs Advisory Committees within each county;
- (3) Require the Department of Public Safety and Hawaii Paroling Authority to inform individuals on parole or probation of their eligibility to vote and provide them with information on how to register and vote; and
- (4) Require the Office of Elections and the county clerks to make a determination, as soon as practicable, of the optimal number and placement of voter service centers.

Your Committee received testimony in support of this measure from the Office of Elections, Disability and Communications Access Board, LGBT Caucus of the Democratic Party of Hawaii, League of Women Voters of Hawaii, Community Alliance on Prisons, and two individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of the Attorney General, Honolulu Elections Division of the City and County of Honolulu, Elections Division of the Office of the County Clerk of the County of Kaua'i, Common Cause Hawaii, AARP Hawai'i, and seven individuals.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 548, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 548, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Perruso).

SCRep. 1868 Finance on S.B. No. 765

The purpose of this measure is to:

- (1) Establish sentencing guidelines for highly intoxicated drivers;
- (2) Require the installation of an ignition interlock device on all vehicles operated by a person upon license revocation for operating a vehicle under the influence of an intoxicant, subject to specified exceptions;
- (3) Increase the license revocation period and extend the applicable lookback periods; and
- (4) Amend the penalties for operating a vehicle under the influence of an intoxicant.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawai'i Police Department, Office of the Prosecuting Attorney of the County of Kaua'i, Honolulu Police Department, Hawaii Bicycling League, AAA Hawai'i, and Hawaii Strategic Highway Safety Plan. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Maui Police Department, Department of Prosecuting Attorney of the County of Maui, Department of the Prosecuting Attorney of the City and County of Honolulu, and Mothers Against Drunk Driving Hawai'i.

Your Committee has amended this measure by:

- (1) Deleting language that would have subjected a person who is convicted of habitually operating a vehicle under the influence of an intoxicant and was a highly intoxicated driver to a \$50 surcharge and, if the court so ordered, \$100 surcharge, to be deposited into the Neurotrauma Special Fund and Trauma System Special Fund, respectively; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 765, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 765, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 15; Ayes with Reservations (Perruso). Noes, none. Excused, none.

SCRep. 1869 Finance on S.B. No. 1039

The purpose of this measure is to satisfy several claims against the State, its officers, or its employees by making appropriations and approving payments for such claims.

Your Committee received testimony in support of this measure from the Department of Transportation, State Public Charter School Commission, and Aloha Stadium Authority. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee has amended this measure by:

- (1) Including two additional claims that have been resolved, at the request of the Department of the Attorney General;
- (2) Changing the means of financing for the claims to the respective departmental operating budgets, except for the miscellaneous claims and the two claims against the Hawaii State Public Charter School Commission; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1039, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1039, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1870 Finance on S.B. No. 969

The purpose of this measure is to:

- (1) Beginning July 1, 2021, prohibit the manufacture or importation for sale of certain animal fur products in the State; and
- (2) Beginning December 1, 2021, prohibit the sale, offer for sale, display for sale, trade, or other distribution of certain animal fur products in the State for monetary or nonmonetary consideration.

Your Committee received testimony in support of this measure from Last Chance for Animals, House Rabbit Society, Stella McCartney Ltd, Humane Society Veterinary Medical Association, Animal Defenders International, Animal Legal Defense Fund, People for the Ethical Treatment of Animals, The Humane Society of the United States, H&M, In Defense of Animals, Fur Free Society, and three individuals. Your Committee received testimony in opposition to this measure from the International Fur Federation - Americas Region, Natural Fibers Alliance, Fur Commission USA, National Trappers Association, Retail Merchants of Hawaii, and six individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee has amended this measure by:

- (1) Removing the preamble;
- (2) Delaying the implementation of the prohibition on the manufacture or importation for sale of certain animal fur products in the State to January 1, 2022;
- (3) Deleting the prohibition against the sale, offer for sale, display for sale, trade, or other distribution of certain animal fur products in the State for monetary or nonmonetary consideration;
- (4) Deleting language providing for the penalties and enforcement of violations of the animal fur products chapter, and instead specifying that a violation of the chapter is a misdemeanor;
- (5) Deleting language requiring the Department of the Attorney General to adopt rules and collaborate with the Department of Commerce and Consumer Affairs to develop and disseminate informational documents to educate and inform retail merchants and suppliers on the animal fur products chapter; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 969, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 969, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 1871 Finance on S.B. No. 807

The purpose of this measure is to:

- (1) Require the academic plan for each school to include:
 - (A) A clear accounting of all resources that will be allocated to address and achieve each measurable outcome;
 - (B) The school's priority improvement strategies and measures to determine progress;
 - (C) Student growth indicators;
 - (D) Information about programs intended to address social and economic conditions that adversely impact student learning;
 - (E) A breakdown of certain teacher vacancy data; and
 - (F) Average class sizes for all regular education, special education, and content-based English-language learning classes; and
- (2) Require the Department of Education to submit an annual report to the Legislature and the Board of Education on the academic and financial plan of each school, grouped by complex area.

Your Committee received testimony in support of this measure from the Hui for Excellence in Education and one individual. Your Committee received comments on this measure from the Department of Education and Hawaii State Teachers Association.

Your Committee has amended this measure by:

- (1) Requiring the academic plan to include indicators from the school's status improvement reports related to teacher workforce experience and the number of teachers with advanced degrees;
- (2) Changing the effective date to July 1, 2021; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 807, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 807, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Eli, Perruso).

SCRep. 1872 Finance on S.B. No. 516

The purpose of this measure is to:

- (1) Require the State Board for Career and Technical Education to oversee and review annually the statewide data collection processes, reporting requirements, and business rules related to the student attainment of industry-recognized credentials;
- (2) Require the State Board for Career and Technical Education to provide an annual report to the Governor and Legislature on students' attainment of industry-recognized credentials; and
- (3) Include career and technical education and credential data in the statewide longitudinal data system to help assess the longitudinal education and workforce outcomes of students who attempted an educational course, training program, career program, postsecondary program, or other workforce training program.

Your Committee received testimony in support of this measure from the Department of Education, Office of Hawaiian Affairs, HawaiiKidsCAN, Chamber of Commerce Hawaii, and three individuals.

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.B. No. 516, S.D. 1, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1873 Finance on S.B. No. 242

The purpose of this measure is to improve digital literacy throughout Hawaii by:

- (1) Establishing the Computer Science Special Fund to provide grants to eligible entities to support computer science education;
- (2) Establishing a timeline for public elementary, middle, and intermediate schools to offer computer science courses or computer science content; and
- (3) Beginning with the 2024-2025 school year, requiring each public charter school that serves elementary, middle, intermediate, or high school students to offer computer science courses or content at a certain frequency.

Your Committee received testimony in support of this measure from the Department of Education, HawaiiKidsCAN, Code.org, Microsoft, Chamber of Commerce Hawaii, Oceanit, Hawai'i Society for Technology in Education, and ten individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Board of Education.

Your Committee has amended this measure by:

- (1) Inserting a five-year sunset on the Computer Science Special Fund established pursuant to this measure and specifying that any unencumbered remaining balances lapse to the credit of the general fund; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 242, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 242, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (B. Kobayashi, Perruso). Noes, none. Excused, none.

SCRep. 1874 Finance on S.B. No. 39

The purpose of this measure is to:

- (1) Clarify that eligibility for the general excise tax exemption includes the nonreceipt of direct or indirect financing for a construction project from the Hawaii Housing Finance and Development Corporation;
- (2) Allow certain affordable rental housing projects of the Hawaii Housing Finance and Development Corporation to receive a waiver of various development-related fees from a county; and
- (3) Remove the limit on the type of costs eligible for exemption from the general excise tax for the development of affordable rental housing certified by the Hawaii Housing Finance and Development Corporation.

Your Committee received testimony in support of this measure from the Kohala Coast Resort Association; Stanford Carr Development, LLC; and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

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.B. No. 39, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (Perruso, Wildberger). Noes, none. Excused, none.

SCRep. 1875 Finance on S.B. No. 142

The purpose of this measure is to exempt from school impact fee requirements certain affordable housing units, alterations of or additions to existing dwelling units, accessory dwelling units, ohana dwelling units, affordable housing units in projects or property developed by the Hawaii Public Housing Authority, and affordable housing units in projects assisted by the Hawaii Housing Finance and Development Corporation.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Hawaii Public Housing Authority, Catholic Charities Hawai'i, Neighborhood Place of Puna, and two individuals. Your Committee received comments on this measure from 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 is in accord with the intent and purpose of S.B. No. 142, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, 1 (Perruso). Excused, none.

SCRep. 1876 Finance on S.B. No. 659

The purpose of this measure is to amend the Low-Income Housing Tax Credit by:

- (1) Allowing the tax credit to be allocated among the partners or members of the partnership or limited liability company earning the credit in any manner agreed to by the partners or members;
- (2) Requiring claims for the Low-Income Housing Tax Credit to include Internal Revenue Service Form 8609;
- (3) Extending the increases made to the Low-Income Housing Tax Credit to an unspecified date; and
- (4) Applying the amendments to taxable years beginning after December 31, 2020.

Your Committee received testimony in support of this measure from the Maui Chamber of Commerce; Bank of Hawaii; Dowling Company, Inc.; NAIOP Hawaii; and one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Taxation, Tax Foundation of Hawaii, Hunt Companies - Hawaii, Hunt Capital Partners LLC, Sugar Creek Capital, and Stanford Carr Development, LLC.

Your Committee has amended this measure by:

- (1) Changing when the amendments apply from taxable years beginning after December 31, 2020, to taxable years beginning after December 31, 2050; and
- (2) 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 659, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 659, S.D. 2, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1877 Finance on S.B. No. 2

The purpose of this measure is to:

- (1) Exempt land set aside by the Governor to the Hawaii Housing Finance and Development Corporation and lands leased to the Hawaii Housing Finance and Development Corporation by other state departments or agencies from classification as public lands subject to Department of Land and Natural Resources' management;
- (2) Require those lands to instead be subject to legislative approval before they may be sold or gifted;
- (3) Require state department or agency lands leased to the Hawaii Housing Finance and Development Corporation that are no longer needed for housing, finance, or development to be returned to the state department or agency that leased the lands to the Hawaii Housing Finance and Development Corporation; and
- (4) Require the Hawaii Housing Finance and Development Corporation to submit certain documentation to the Office of Hawaiian Affairs regarding government or crown lands set aside or leased to the Hawaii Housing Finance and Development Corporation before planning to develop or finance an affordable housing development on those lands.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation; Department of Planning and Permitting of the City and County of Honolulu; EAH Housing; Mutual Housing Association of Hawai'i, Inc.; Land Use Research Foundation of Hawaii; and one individual. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs, Kūpuna for the Mo'opuna, Ho'opae Pono Peace Project, 'Ilio'ulaokalani Coalition, Hawai'i Alliance for Progressive Action, Ka Lāhui Hawai'i Kōmike Kalai'āina, Native Hawaiian Legal Corporation, HOPE Services Hawai'i, and numerous individuals. Your Committee received comments on this measure from Stanford Carr Development, LLC.

Your Committee has amended this measure by:

- (1) Removing the requirement for the Hawaii Housing Finance and Development Corporation to submit certain documentation to the Office of Hawaiian Affairs regarding government or crown lands set aside or leased to the Hawaii Housing Finance and Development Corporation before planning to develop or finance an affordable housing development on those lands;
- (2) Requiring the Hawaii Housing Finance and Development Corporation to give preference to individuals on the Department of Hawaiian Home Lands waiting list for property set aside or leased to the Corporation that was classed as government or crown lands or leased for ninety-nine years before the Corporation develops or finances an affordable housing development on those lands; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (Branco, Eli, Holt, Marten, Perruso, Tam, Wildberger). Noes, none. Excused, none.

SCRep. 1878 Judiciary & Hawaiian Affairs on S.C.R. No. 5

The purpose of this measure is to recognize the importance of twenty-first century data governance for fact-based policymaking.

Your Committee received testimony in support of this measure from the Department of Hawaiian Homelands Office of Hawaiian Affairs, Hawaii Youth Services Network, Queen's Health Systems, Children's Action Network Speaks!, Hawaii Friends of Civil Rights, Hawaii Coalition for Immigrant Rights, Medical-Legal Partnership for Children in Hawaii, Kupuna for the Moopuna, Papa Ola Lokahi, Project Vision Hawaii, Hawaii Public Health Institute, Kamehameha Schools, Kanaeokana, Boys and Girls Club of Hawaii, Kuaaina Ulu Auamo, Native Hawaiian Education Council, Hawaii Appleseed Center for Law and Economic Justice, Hawaiian Affairs Caucus of the Democratic Party of Hawaii, and numerous individuals.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 5 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (LoPresti, Todd, Tokioka).

SCRep. 1879 Judiciary & Hawaiian Affairs on S.C.R. No. 55

The purpose of this measure is to urge the Department of Land and Natural Resources to adopt administrative rules to streamline the process for allowing traditional Hawaiian farming systems on conservation lands.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs and one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 55, S.D. 1, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (LoPresti, Todd, Tokioka).

SCRep. 1880 Judiciary & Hawaiian Affairs on S.C.R. No. 207

The purpose of this measure is to review and approve a specific land exchange between the State and trustees of the Parker Land Trust.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 207 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (LoPresti, Todd, Tokioka).

SCRep. 1881 Judiciary & Hawaiian Affairs on S.C.R. No. 220

The purpose of this measure is to recognize the seventy-fifth anniversary of diplomatic relations between the United States and the Republic of the Philippines.

Your Committee received testimony in support of this measure from Hawaii Friends of Civil Rights, Filipinx Advocacy Network, and one individual.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 220, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (LoPresti, Todd, Tokioka).

SCRep. 1882 Judiciary & Hawaiian Affairs on S.C.R. No. 235

The purpose of this measure is to request the Department of Transportation to evaluate traffic congestion, highway flooding, and road safety issues in the County of Hawaii.

Your Committee received testimony in support of this measure from the Department of Transportation.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 235, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (LoPresti, Todd, Tokioka).

SCRep. 1883 Judiciary & Hawaiian Affairs on S.C.R. No. 25

The purpose of this measure is to request the Department of Public Safety to allow faith pods based on kapu aloha to be established within each correctional center.

Your Committee received testimony in support of this measure from the Department of Public Safety, Malu Aina, Ohana Hoopakele, and five individuals.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 25, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (LoPresti, Todd, Tokioka).

SCRep. 1884 Judiciary & Hawaiian Affairs on S.C.R. No. 47

The purpose of this measure is to urge the Department of Veterans Affairs to recognize a presumptive service connection for chronically ill veterans who were stationed at Kunia Field on the island of Oahu, and to provide medical care and long-term services regardless of the veterans' ability to conclusively link their conditions to toxic exposure.

Your Committee received testimony in support of this measure from one individual.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 47, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (LoPresti, Todd, Tokioka).

SCRep. 1885 Judiciary & Hawaiian Affairs on S.C.R. No. 164

The purpose of this measure is to urge the United States Senate and President of the United States to enact the Protecting the Right to Organize Act as expeditiously as possible.

Your Committee received testimony in support of this measure from Pride at Work – Hawaii; LGBT Caucus of the Democratic Party of Hawaii; International Union of Painters and Allied Trades, District Council 50; Plumbers and Fitters United Association, Local 675; International Union of Bricklayers and Allied Craftworkers, Local #1; Democratic Party of Hawaii; Unite Here Local 5; International Longshore and Warehouse Union, Local 142; United Public Workers, AFSCME Local 646, AFL-CIO; Hawaii Building and Construction Trades Council; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Iron Workers Stabilization Fund; IATSE, Local 665; International Brotherhood of Electrical Workers Local Union 1186; Hawaii State AFL-CIO; and one individual.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 164, S.D. 1, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (LoPresti, Todd, Tokioka).

SCRep. 1886 Judiciary & Hawaiian Affairs on S.C.R. No. 103

The purpose of this measure is to request that the United States military return unused land that becomes available at Bellows Air Force Station to the State of Hawaii for community use.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee has amended this measure by:

- (1) Changing the title to "REQUESTING THE UNITED STATES MILITARY TO RETURN UNUSED LAND THAT BECOMES AVAILABLE AT BELLOWS AIR FORCE STATION TO THE STATE OF HAWAII;"
- (2) Removing language of the Military Munitions Response Program;
- (3) Inserting language requesting the return of unused lands at Bellows Air Force Station to the State of Hawaii for community use; and
- (4) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 103, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 103, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (LoPresti, Todd, Tokioka).

SCRep. 1887 Judiciary & Hawaiian Affairs on S.C.R. No. 171

The purpose of this measure is to urge all law enforcement officers and prosecuting attorneys in the State to vigorously enforce and prosecute offenses committed against essential workers while on the job.

Your Committee received testimony in support of this measure from Hawaii State AFL-CIO; Unite Here Local 5; LGBT Caucus of the Democratic Party of Hawaii; Pride at Work – Hawaii; International Longshore and Warehouse Union Local 142; United Public Workers, AFSCME Local 646, AFL-CIO; International Union of Painters and Allied Trades, District Council 50; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; United Food and Commercial Workers 480; and IATSE Local 665.

Your committee has amended this measure by adding the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practice's definition of "essential worker."

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 171, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 171, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (LoPresti, Todd, Tokioka).

SCRep. 1888 Judiciary & Hawaiian Affairs on S.C.R. No. 190

The purpose of this measure is to convene a Maunaloa-Makapuu Scenic Byway and Kaiwi Coast Working Group to develop a plan to address ongoing issues in the Maunaloa-Makapuu Scenic Byway and Kaiwi coastal area and consolidate management to better protect and preserve this critical resource for future generations.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and the Department of Transportation.

Your Committee finds that the Kaiwi coast scenic shoreline is a beautiful stretch of undeveloped land in east Oahu that is host to the Maunaloa-Makapuu Scenic Byway. There is concern that without proper management, this part of the island will face increasing challenges. Your Committee finds that it is in the best interests of the people of Hawaii to engage the community to protect this natural, unspoiled area and preserve its rugged beauty.

Your Committee amended this measure by:

- (1) Expanding the area of the working group;
- (2) Inserting language to have a certified copy of this resolution transmitted to the Chairperson of the Waimanalo No. 32 Neighborhood Board; and

(3) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 190, S.D. 1, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 190, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (LoPresti, Todd, Tokioka).

SCRep. 1889 Judiciary & Hawaiian Affairs on S.C.R. No. 246

The purpose of this measure is to request that a working group be convened to develop recommendations for implementing the Revitalizing Economy and Agriculture Leadership (REAL) Initiative.

Your Committee received testimony in support of this measure from the University of Hawaii and Kamehameha Schools. Your Committee received comments on this measure from the Department of Agriculture and the Department of Hawaiian Home Lands.

Your Committee has amended this measure by adding to the working group a designee, chosen by the Department of Hawaiian Home Lands, to represent agricultural homesteaders not represented by the Sovereign Council of Hawaiian Homestead Associations.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 246, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 246, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Ward). Noes, none. Excused, 3 (LoPresti, Todd, Tokioka).

SCRep. 1890 Judiciary & Hawaiian Affairs on S.C.R. No. 165

The purpose of this measure is to request the United States Congress to consent to the enactment of Act 80, Session Laws of Hawaii 2017 (Act 80).

Your Committee received testimony in support of this measure from the Department of Hawaiian Homelands and Aloha Aina Party.

Your Committee amended this measure by deleting language referring to blood quantum dilution due to inter-marriages, as it may cause federal issues with regard to 25 CFR 83.11.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 165, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (LoPresti, Todd, Tokioka).

SCRep. 1891 Judiciary & Hawaiian Affairs on H.R. No. 113

The purpose of this measure is to create a working group that will review operations of the State Island Burial Councils, housed within the State Historic Preservation Division of the Department of Land and Natural Resources, and for it to provide recommendations to the Legislature on how to best implement their findings.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs and one individual. Your Committee received testimony in opposition to this measure by one individual. Your committee also received comments from the Department of Land and Natural Resources.

Your committee finds that relations between the DLNR, State Historic Preservation Division, the Burial Councils and the Hawaiian community at large has become strained over the year. This has led to a lack of trust, on all sides, as well as poor communication among these interest groups. This measure could help ease these tensions by allowing the affected parties to come together to determine an appropriate way forward.

Your Committee has amended this measure by:

- (1) Changing its title to read, "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A BURIAL SITES WORKING GROUP TO REVIEW AND RECOMMEND IMPROVEMENTS TO THE ISLAND BURIAL COUNCILS;"
- (2) Deleting its contents and inserting the contents of H.C.R. No. 131, H.D. 2 (Regular Session of 2021), which requests the establishment of a Burial Sites Working Group to review and recommend improvements to the Island Burial Councils; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 113, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 113, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (LoPresti, Todd, Tokioka).

SCRep. 1892 Finance on S.C.R. No. 26

The purpose of this measure is to empower young women by annually recognizing October 11, 2021, as the International Day of the Girl.

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 S.C.R. No. 26, S.D. 1, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1893 Finance on S.C.R. No. 242

The purpose of this measure is to request a Creative Resurgence Task Force be convened to build and foster creativity and innovation through the arts, culture, and humanities.

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 S.C.R. No. 242, S.D. 1, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 1894 Finance on S.C.R. No. 44

The purpose of this measure is to declare a climate emergency and request statewide collaboration toward an immediate just transition and emergency mobilization effort to restore a safe climate.

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 S.C.R. No. 44, S.D. 1, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 1895 Finance on S.C.R. No. 108

The purpose of this measure is to urge the Department of Public Safety to increase its investment in comprehensive offender reentry training programs for individuals exiting correctional facilities.

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 S.C.R. No. 108 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 1896 Finance on S.C.R. No. 173

The purpose of this measure is to request the Department of Transportation to initiate three innovative pilot projects of meaningful scale to modernize transportation infrastructure in underserved communities.

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 S.C.R. No. 173, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 1897 Finance on S.C.R. No. 201

The purpose of this measure is to urge the University of Hawaii and the University of Hawaii Professional Assembly to convene a task force to examine and assess the University of Hawaii's:

- (1) Tenure system for researchers and other non-instructional faculty; and
- (2) Compensation structure of faculty engaged in activities supported by extramural funding for grants;

in comparison to peer higher education institutions across the United States. This measure also requests the task force to propose best practices to be implemented by the University of Hawaii and to submit a report to the Legislature prior to the Regular Session of 2022.

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 S.C.R. No. 201, S.D. 1, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 1898 Finance on S.C.R. No. 30

The purpose of this measure is to request the Department of Hawaiian Home Lands, in conjunction with the County of Hawaii Department of Water Supply, to provide a progress report regarding the development of the Kaū water system.

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 S.C.R. No. 30, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 1899 Finance on S.C.R. No. 189

The purpose of this measure is to urge the Department of Land and Natural Resources, Department of Agriculture, other relevant state entities, the City and County of Honolulu, and Hawaii's Congressional delegation to work with The Trust for Public Land and the Hui Maunawili-Kawainui to acquire the important and rich agricultural, cultural, and historic lands of Maunawili Valley.

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 S.C.R. No. 189, S.D. 1, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 1900 Finance on S.C.R. No. 38

The purpose of this measure is to urge the Department of Education School Food Services Branch to adopt an addendum to its agreements for the 'Aina Pono Hawaii State Farm To School Program to require the procurement of goods and services from food hubs.

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 S.C.R. No. 38, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 1901 Finance on S.C.R. No. 151

The purpose of this measure to encourage the Department of Education, complex areas, and charter schools to implement school-wide restorative justice initiative practices in Hawaii's public and charter 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 S.C.R. No. 151, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1902 Finance on S.C.R. No. 263

The purpose of this measure is to convene a Public Racing Facility Working Group to identify a location and develop a plan for the establishment and operation of public racing facilities on Oahu to improve safety, boost economic activity, and provide for recreation.

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 S.C.R. No. 263, S.D. 1, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 1903 Consumer Protection & Commerce on S.C.R. No. 152

The purpose of this measure is to urge the Department of Education to coordinate with the Department of Commerce and Consumer Affairs to implement a graduation requirement of at least a half credit in financial literacy during the junior year or senior year of each student.

Your Committee received testimony in support of this measure from Next Gen Personal Finance. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that financial literacy is the capacity, based on knowledge, skills, and access, to manage financial resources effectively. Your Committee further finds that students lacking financial literacy are more likely to have lower credit scores and financial problems than those who received instruction regarding financial matters. Your Committee notes that Hawaii ranks among the ten states with the lowest level of high school financial literacy in the nation. Your Committee believes that implementing a financial literacy graduation requirement will provide students with practical information on matters relating to finances and empower students to better manage their money as adults.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 152 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Mizuno).

SCRep. 1904 Consumer Protection & Commerce on S.C.R. No. 191

The purpose of this measure is to urge the United States Department of Health and Human Services to amend its policies relating to postpartum sterilization waiting periods for Medicaid recipients.

Your Committee received testimony in support of this measure from the Hawaii Section of the American College of Obstetricians and Gynecologists and six individuals.

Your Committee finds that postpartum sterilization is the most commonly used form of contraception in the country and is safe, effective, and provides substantial cost savings for health care systems. However, your Committee further finds that there are significant systemic barriers to postpartum sterilization for Medicaid recipients. Unlike privately insured individuals, Medicaid recipients are required to wait thirty days between consent to postpartum sterilization and surgery; failure to comply can result in reimbursement denial to providers for delivery and postpartum care. This policy results in a discriminatory two-tiered system of access, based on income, to a basic and highly effective form of contraception. Your Committee finds that the United States Department of Health and Human Services should review and revise this policy to ensure fair and equitable access to reproductive health services.

Your Committee has amended this measure by:

- (1) Specifying that certified copies of this measure be transmitted to the Director of Human Services and Administrator of the Department of Human Services' Med-QUEST Division; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 191, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 191, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Mizuno).

SCRep. 1905 Consumer Protection & Commerce on S.C.R. No. 219

The purpose of this measure is to encourage the Executive Office on Aging to:

- (1) Study and identify the number of kupuna in the State who struggle with digital literacy, lack broadband access, and lack computer equipment;
- (2) Form a working group and develop a plan for outreach to kupuna to remediate a lack of digital literacy, broadband access, and computer equipment; and
- (3) Partner with nonprofit groups that work toward increasing digital literacy and access for kupuna and other unserved or underserved communities.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, & Tourism; AARP Hawai'i; LearningBond.org; and three individuals. Your Committee received comments on this measure from the Executive Office on Aging; Hawaii Workforce Development Council; Hawai'i Community College; one member of the Hawai'i County Council; Code.org; HawaiiKidsCAN; Hawaii Island Economic Development Board; O'ahu County Democrats Digital Equity Committee; Hawaii Foodbank; Hawaii Literacy, Inc; Hawai'i Leeward Planning Conference; Transform Hawaii Government; Akaku Maui County Community Media; and four individuals.

Your Committee finds that the coronavirus disease 2019 pandemic forced thousands of residents to function from home and rely on internet connectivity to access virtual communications. Your Committee further finds that members of the community, such as kupuna, homeless individuals, and recently released prisoners, often lack the digital skills necessary to fully utilize newer, current technologies. Kupuna in particular are eager for opportunities to learn about technologies that would facilitate independent aging and better social connections. This measure urges the Executive Office on Aging to, among other things, to form a working group related to digital literacy outreach to kupuna.

However, your Committee notes that the Broadband Hui, a collection of various public and private organizations and individuals, has actively taken the lead to address digital inequities and leverage opportunities to improve digital access. As such, your Committee finds that urging the Broadband Hui to collaborate with the Executive Office on Aging, rather than urging the Executive Office on Aging to form a working group, may be a more appropriate avenue to address the digital inequities targeted by this measure.

Your Committee has amended this measure by:

- (1) Deleting the language that encouraged the Executive Office on Aging to take various actions relating to digital access issues for kupuna by studying and identifying kupuna, forming a working group, and partnering with nonprofit groups;
- (2) Urging the Broadband Hui to include a representative from the Executive Office on Aging as a member of the Hui to represent the needs of kupuna with regard to digital literacy, broadband access, and computer equipment;
- (3) Specifying that certified copies of this measure be transmitted to the Director of Business, Economic Development, & Tourism and Broadband Strategy Officer for the Hawaii Broadband Initiative;
- (4) Amending its title to read, "URGING THE BROADBAND HUI TO INCLUDE A REPRESENTATIVE OF THE EXECUTIVE OFFICE ON AGING AS A MEMBER OF THE HUI TO REPRESENT THE NEEDS OF KUPUNA WITH REGARD TO DIGITAL LITERACY, BROADBAND ACCESS, AND COMPUTER EQUIPMENT."; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 219, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 219, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Mizuno).

SCRep. 1906 Consumer Protection & Commerce on S.C.R. No. 239

The purpose of this measure is to urge the Department of Transportation to increase the use of reclaimed asphalt pavement to repave, reconstruct, and preserve state streets, roads, and highways and explore the use of other products using reclaimed asphalt.

Your Committee received testimony in support of this measure from Oahu Motorsports Association. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that the Federal Highway Administration promotes and encourages the use of reclaimed asphalt pavement in asphalt pavement mixes to the maximum economical and practical extent possible to help preserve the natural environment, reduce waste, and provide a cost-effective material for constructing highways. Your Committee further finds that the Department of Transportation currently allows up to twenty percent of reclaimed asphalt pavement to be used in hot mix asphalt pavement surface mix and up to forty percent in hot mix asphalt base. This measure urges the Department of Transportation to increase the use of reclaimed asphalt pavement and explore the use of other products using reclaimed asphalt, which will help reduce the demand for virgin aggregate mining in Hawaii.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 239 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Mizuno).

SCRep. 1907 Consumer Protection & Commerce on S.C.R. No. 241

The purpose of this measure is to establish a sister-state relationship between Hawaii and the Prefecture of Yamaguchi, Japan.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, & Tourism; Japan-America Society of Hawai'i; and one individual.

Your Committee finds that sister-state relationships allow Hawaii to assert and promote the State's active participation in international matters. Your Committee further finds that Hawaii and the people of Yamaguchi Prefecture share a long history and strong bond dating back to the 1800s. Establishing a sister-state relationship with the Prefecture of Yamaguchi, pursuant to the recommendations of the Hawaii Sister-State Committee, will be highly beneficial in expanding tourism, strengthening cultural bonds, and advancing common goals of international peace and fellowship.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 241, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Mizuno).

SCRep. 1908 Consumer Protection & Commerce on S.C.R. No. 159

The purpose of this measure is to urge the Department of Land and Natural Resources to examine and consider purchasing reef insurance to protect the State's coastlines and coastal infrastructure from natural disasters.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and The Nature Conservancy.

Your Committee finds that Hawaii's reefs provide millions of dollars in revenue from fishing and tourism, as well as coastal protection, cultural renewal, and recreational opportunities for residents and visitors alike. Reefs are the first line of defense to protect coastlines and coastal infrastructure, and focused investment to build and repair their resilience is essential to preserving this natural infrastructure. Your Committee further finds that erosion and chronic flooding are predicted to increase as a result of sea level rise. The Nature Conservancy's recently completed feasibility assessment for reef insurance in Hawaii

reveals there may be interest and applicability in the islands, and the Department of Land and Natural Resources has indicated its support for exploring this option.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 159, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Kong, Morikawa). Noes, none. Excused, 1 (Mizuno).

SCRep. 1909 Consumer Protection & Commerce on S.C.R. No. 10

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Kaalawai, Honolulu, Oahu, for the existing seawall constructed on those state submerged lands, and the use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that portions of an existing seawall fronting private property located in Kaalawai, Honolulu, Oahu, and spanning 214 square feet, encroaches onto state submerged lands. Your Committee further finds that the Department of Land and Natural Resources granted a 55-year non-exclusive easement to run with the land and to inure to the benefit of the abutting real property to resolve the encroachment. This measure authorizes the granting of a term, non-exclusive easement, as required by state law, for the portion of identified state submerged lands in Kaalawai that have been encroached upon by the seawall, and for the use, repair, and maintenance of the existing improvements constructed thereon.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 10 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Mizuno).

SCRep. 1910 Consumer Protection & Commerce on S.C.R. No. 11

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Waimanalo, Koolau, Oahu, for the existing pier, seawall, and steps, and for the use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the existing pier, seawall, and steps fronting private property located in Waimanalo, Koolau, Oahu, and spanning 2,818 square feet, encroaches onto state submerged lands. Your Committee further finds that the Department of Land and Natural Resources granted a 55-year non-exclusive easement to run with the land and to inure to the benefit of the abutting real property to resolve the encroachment. This measure authorizes the granting of a term, non-exclusive easement, as required by state law, for the portion of identified state submerged lands in Waimanalo that have been encroached upon by the pier, seawall, and steps, and for the use, repair, and maintenance of the existing improvements constructed thereon.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 11, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Mizuno).

SCRep. 1911 Consumer Protection & Commerce on S.C.R. No. 12

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Kamaole, Kula, Maui, for the existing rubble rock revetment, rock wall, and two concrete stairways, and for the use, maintenance, repair, replacement, and removal of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the existing rubble rock revetment, rock wall, and two concrete stairways fronting private property located in Kamaole, Kula, Maui, and spanning 18,668 square feet, encroaches onto state submerged lands. Your Committee further finds that the Department of Land and Natural Resources granted a 55-year non-exclusive easement to the Association of Apartment Owners of Hale Pau Hana. This measure authorizes the granting of a term, non-exclusive easement, as required by state law, for the portion of identified state submerged lands in Kamaole that have been encroached upon by the existing rubble rock revetment, rock wall, and two concrete stairways, and for the use, maintenance, repair, replacement, and removal of the existing improvements constructed thereon.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 12 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Mizuno).

SCRep. 1912 Consumer Protection & Commerce on S.C.R. No. 13

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a perpetual, non-exclusive easement covering a portion of state submerged lands at Maunaloa, Honolulu, Oahu, for the existing storm drain, and for the use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the existing storm drain fronting property located in Maunaloa, Honolulu, Oahu, and spanning 174 square feet, encroaches onto state submerged lands. Your Committee further finds that the Department of Land and Natural Resources granted a perpetual non-exclusive easement to resolve the storm drain encroachment. This measure authorizes the granting of a perpetual non-exclusive easement, as required by state law, for the portion of the identified state submerged lands in Maunaloa that have been encroached upon by the existing storm drain, and for the use, repair, and maintenance of the existing improvements constructed thereon.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 13 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Mizuno).

SCRep. 1913 Consumer Protection & Commerce on S.C.R. No. 14

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a perpetual, non-exclusive easement covering a portion of state submerged lands at Kaneohe, Koolaupoko, Oahu, for the existing storm drain, and for the use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the existing storm drain fronting property located in Kaneohe, Koolaupoko, Oahu, and spanning 679 square feet, encroaches onto state submerged lands. Your Committee further finds that the Department of Land and Natural Resources granted a perpetual non-exclusive easement to resolve the storm drain encroachment. This measure authorizes the granting of a perpetual non-exclusive easement, as required by state law, for the portion of the identified state submerged land in Kaneohe that have been encroached upon by the existing storm drain, and for the use, repair, and maintenance of the existing improvements constructed thereon.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 14 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Mizuno).

SCRep. 1914 Consumer Protection & Commerce on S.C.R. No. 15

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Napili 2 and 3, Lahaina, Maui, for the existing walkway, and for the use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the existing walkway fronting private property located in Napili, Lahaina, Maui, and spanning 142 square feet, encroaches onto state submerged lands. Your Committee further finds that the Department of Land and Natural Resources granted a term, non-exclusive easement to run with the land and to inure to the benefit of the abutting real property to resolve the encroachment. This measure authorizes the granting of a term, non-exclusive easement, as required by state law, for the portion of identified state submerged lands in Napili that have been encroached upon by the existing walkway, and for the use, repair, and maintenance of the existing improvements constructed thereon.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 15, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Mizuno).

SCRep. 1915 Consumer Protection & Commerce on S.C.R. No. 16

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue term, non-exclusive easements covering a portion of state submerged lands at Waiohuli-Keokea, Wailuku, Maui, for the existing seawall, and for the use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the existing seawall fronting private property located in Waiohuli-Keokea, Wailuku, Maui, and spanning 928 square feet, encroaches onto state submerged lands. Your Committee further finds that the Department of Land and Natural Resources granted 65-year non-exclusive easements to run with the land and to inure to the benefit of the abutting condominium property regime units to resolve the encroachment. This measure authorizes the granting of term, non-exclusive easements, as required by state law, for the portions of identified state submerged lands in Waiohuli-Keokea that have been encroached upon by the existing seawall, and for the use, repair, and maintenance of the existing improvements constructed thereon.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 16, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Mizuno).

SCRep. 1916 Consumer Protection & Commerce on S.C.R. No. 17

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Waiohuli-Keokea Homesteads, Kihei, Maui, for the existing seawall, rock revetment, and concrete steps, and for the use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the existing seawall, rock revetment, and concrete steps fronting private property located in Waiohuli-Keokea, and spanning approximately 668 square feet, encroaches onto state submerged lands. Your Committee further finds that the Department of Land and Natural Resources granted a 55-year non-exclusive easement to run with the land and to inure to the benefit of the abutting real property to resolve the encroachment. This measure authorizes the granting of a term, non-exclusive easement, as required by state law, for the portion of identified state submerged lands in Waiohuli-Keokea that have been encroached upon by the existing seawall, rock revetment, and concrete steps, and for the use, repair, and maintenance of the existing improvements constructed thereon.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 17 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Mizuno).

SCRep. 1917 Consumer Protection & Commerce on S.C.R. No. 87

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Kuau, Hamakuapoko, Maui, for the existing seawall and concrete steps, and for the use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Sea & Believe LLC, and one individual.

Your Committee finds that an existing seawall and concrete steps fronting private property located at Kuau, Hamakuapoko, Maui, and spanning 1,613 square feet, encroach upon state submerged lands. Your Committee further finds that the Department of Land and Natural Resources has worked with the previous owner, Kahanu Family Limited Partnership, and the current owner, Sea & Believe LLC, to resolve the encroachment. The Board of Land and Natural Resources subsequently granted a 55-year non-exclusive easement to run with the land and inure to the benefit of the abutting real property to resolve the encroachment. This measure authorizes the granting of a term, non-exclusive easement, as required by state law, for the portion of identified state submerged lands in Kuau that have been encroached upon by the existing seawall and concrete steps, and for the use, repair, and maintenance of the existing improvements constructed thereon.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 87 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Mizuno).

SCRep. 1918 Consumer Protection & Commerce on S.C.R. No. 102

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a perpetual, non-exclusive easement covering portions of state submerged lands at Maunaloa, Oahu, for the construction and maintenance of a rock rubble mound revetment and groin.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the Hawaii Kai Marina Community Association is responsible for the maintenance of the entrance channel between the privately owned Hawaii Kai Marina and Maunaloa Bay. Your Committee further finds that the existing sandbag groin is deteriorating and a permanent structure is necessary to slow the rate of sediment deposition into the entrance channel of the Hawaii Kai Marina. This measure authorizes the granting of a perpetual, non-exclusive easement, as required by state law, to the Hawaii Kai Marina Community Association for the construction and maintenance of a rock rubble mound revetment and groin.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 102, S.D. 1, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Mizuno).

Conf. Com. Rep. 1 on S.B. No. 151

The purpose of this measure is to replace the term "accident" with "collision" for the purposes of certain provisions of the statewide traffic code.

Your Committee on Conference finds that the use of the term "accident" when referring to a traffic collision or incident is outdated. The Honolulu Police Department (HPD) replaced the term "accident" with "collision" in their policies, procedures, and report writing more than a decade ago. Additionally, the National Highway Traffic Safety Administration (NHTSA) has encouraged everyone to use the term "collision" instead of "accident" when referring to incidents of vehicular collision. This measure amends the statewide traffic code to replace "accident" with "collision" to bring Hawaii statutes in line with the NHTSA and HPD policies and provide consistency and clarity.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 151, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 151, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Johanson, and Ward.

Managers on the part of the House.

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

Senators Lee, Rhoads, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 2 on S.B. No. 329

The purpose of this measure is to:

- (1) Shorten the notice period from sixty days to thirty days for a board of directors of a condominium association to sell, store, donate, or dispose of personalty when the identity and address of the owner are known; and
- (2) Remove the publication requirement and permit the board of directors of a condominium association to proceed directly to the sale, storage, donation, or disposal of personalty that has been abandoned in or on the common elements of a condominium when the identity or address of the owner is unknown.

Your Committee on Conference finds that unwanted personalty may be abandoned in common areas of a condominium by residents, their visitors, or other third parties. Abandoned personalty is often an eyesore and can create safety hazards for other residents, especially when space is limited. When the owner of the personalty or the owner's address is not known, existing law requires a condominium association to first advertise the sale, donation, or disposition at least once in a daily newspaper of general circulation. Your Committee on Conference further finds that this process is burdensome, costly, and lengthy, and can increase the costs associated with the operation of condominiums. This measure simplifies the process for condominium boards when disposing of abandoned or unwanted property.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 329, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 329, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Kitagawa, and Matsumoto.

Managers on the part of the House.

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

Senators Baker, Rhoads, and Chang.

Managers on the part of the Senate.

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

Conf. Com. Rep. 3 on S.B. No. 1053

The purpose of this measure is to expand the eligibility of organizations that may receive community-based economic development technical and financial assistance beyond community-based organizations to also include for-profit businesses.

Your Committee on Conference finds that expanding the eligibility for community-based economic development technical and financial assistance to include for-profit businesses will allow the Department of Business, Economic Development, and Tourism to assist in the success and viability of a larger number of organizations throughout the State.

Your Committee on Conference has amended this measure by:

- (1) Reverting to the maximum grant amount per applicant of \$100,000;
- (2) Changing the effective date to upon its approval; and
- (3) Making technical, nonsubstantive changes for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1053, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1053, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Quinlan, Holt, and Okimoto.

Managers on the part of the House.

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

Senators Wakai, Taniguchi, and Misalucha.

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

Conf. Com. Rep. 4 on S.B. No. 336

The purpose of this measure is to amend the maximum amount of each agricultural and aquacultural loan that the Chairperson of the Board of Agriculture may be authorized to approve unilaterally to an unspecified amount.

Your Committee on Conference finds that increasing the maximum amount of state funds that the Chairperson of the Board of Agriculture is authorized to unilaterally approve for each agricultural and aquacultural loans to \$50,000 will help reduce approval times for micro-loans and ensure that loan applicants receive needed financial assistance in a timely manner.

Your Committee on Conference has amended this measure by:

- (1) Inserting \$50,000 as the maximum loan amount that the Chairperson of the Board of Agriculture may authorize; and
- (2) Making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 336, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 336, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 5 on S.B. No. 186

The purpose of this measure is to prohibit the enforcement of a re-recorded homeowners' association restriction if the restriction prohibits bona fide agricultural uses and activities on agricultural land.

Your Committee on Conference finds subdivision of agricultural lands has significantly increased over the past few decades, resulting in homeowners' associations imposing restrictions that limit bona fide agricultural uses on agricultural lands. Restrictive covenants that limit agricultural uses and activities on agricultural lands undermine the State's interest in protecting and preserving agricultural resources and promoting agricultural self-sufficiency. Thus, this measure clarifies that renewed covenants restricting agricultural uses and activities within the State Land Use Agricultural Districts are considered new contracts and therefore voidable, under limited circumstances.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 186, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 186, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 6 on H.B. No. 177

The purpose of this measure is to amend the offenses of sexual assault in the first and third degree perpetrated against a person who is mentally defective to provide that a perpetrator commits the offense if the perpetrator is negligent in not knowing of the mental defect of the victim.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 177, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 177, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 7 on H.B. No. 599

The purpose of this measure is to:

- (1) Clarify that regular, annual, and special meetings of planned community associations may be conducted remotely consistent with the Hawaii Nonprofit Corporations Act; and
- (2) Authorize condominium associations to conduct electronic meetings and electronic, machine, or mail voting in a state of emergency or local state of emergency, or any meeting noticed during such emergencies and for which the applicable emergency has since expired under certain circumstances.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 599, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 599, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Kitagawa, and Matsumoto.

Managers on the part of the House.

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

Senators Baker, Chang, and Nishihara.

Managers on the part of the Senate.

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

Conf. Com. Rep. 8 on H.B. No. 941

The purpose of this measure is to:

- (1) Allow the Public Utilities Commission to use electronic filing processes and similar practices as an alternative to hard copy, rather than requiring hard copies and electronic copies; and
- (2) Require the Public Utilities Commission to conform its electronically filed documents and electronic filing processes for compliance with the American with Disabilities Act and all other existing federal laws and regulations to ensure equal access for individuals with disabilities.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 941, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 941, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, B. Kobayashi, and Matsumoto.

Managers on the part of the House.

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

Senators Baker, Keith-Agaran, and Chang.

Managers on the part of the Senate.

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

Conf. Com. Rep. 9 on H.B. No. 943

The purpose of this measure is to establish a different regulatory framework for nondepository trust companies by:

- (1) Clarifying the powers and duties of nondepository trust companies;
- (2) Changing the yearly assessments imposed on nondepository trust companies by basing the calculation on total assets under management;
- (3) Establishing a paid-in capital and surplus requirement in order to charter nondepository trust companies in the State; and
- (4) Appropriating monies from the Compliance Resolution Fund for the Division of Financial Institutions to administer the requirements of new nondepository trusts.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date to July 1, 2021; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 943, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 943, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, B. Kobayashi, Kong, and Matsumoto.

Managers on the part of the House.

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

Senators Baker, English, and Chang.

Managers on the part of the Senate.

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

Conf. Com. Rep. 10 on H.B. No. 1023

The purpose of this measure is to help the State identify and develop sustainable sources of funding to effectively manage its fisheries by establishing a nonresident recreational marine fishing license and associated fees.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1023, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1023, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Nakashima, Branco, and McDermott.

Managers on the part of the House.

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

Senators Inouye, Wakai, and Riviere.

Managers on the part of the Senate.

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

Conf. Com. Rep. 11 on H.B. No. 243

The purpose of this measure is to help the State prepare for the effects of climate change by:

- (1) Requiring the Office of Planning, in cooperation with each state agency having operational responsibilities over state facilities, to:
 - (A) Identify existing and planned facilities that are vulnerable to sea level rise, flooding impacts, and natural hazards;
 - (B) Assess a range of options to mitigate the impacts of sea level rise to those facilities; and
 - (C) Submit annual reports to the Governor, Legislature, and Hawaii Climate Change Mitigation and Adaptation Commission regarding the vulnerability and adaptation assessments for state facilities and the progress made in implementing sea level rise adaptation in future plans, programs, and capital improvement needs and decisions;
- (2) Amending the Hawaii State Planning Act to include sustainable development, climate change adaptation, and sea level rise adaptation as objectives for facility systems; and
- (3) Establishing planning and implementing considerations, policies, and practices related to disaster resilience and climate adaptation, including sea level rise, as a function of statewide concern.

Your Committee on Conference has amended this measure by:

- (1) Removing planning and implementing considerations, policies, and practices related to disaster resilience and climate adaptation, including sea level rise, as a function of statewide concern;
- (2) Requiring the Office of Planning to coordinate sea level rise adaptation, rather than mitigation, with state agencies having operational responsibilities over state facilities;
- (3) Changing its effective date to July 1, 2021; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 243, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 243, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Lowen, Branco, and McDermott.

Managers on the part of the House.

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

Senators Inouye, Gabbard, and Moriwaki.

Managers on the part of the Senate.

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

Conf. Com. Rep. 12 on H.B. No. 244

The purpose of this measure is to clarify the data requirements for land recordation by the Bureau of Conveyances, on land other than fee simple time share interests deregistered by the Land Court, to include a plan of the parcel or parcels sought to be deregistered that includes a map and description prepared by a licensed professional surveyor.

Your Committee on Conference has amended this measure by changing its effective date to July 1, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 244, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 244, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Todd, Branco, and McDermott.

Managers on the part of the House.

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

Senators Inouye, Kanuha, and Gabbard.

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

Conf. Com. Rep. 13 on S.B. No. 399

The purpose of this measure is to:

- (1) Provide that certain rights shall be deemed waived if a preliminary determination of probable cause is rendered during a meeting subject to the requirements of chapter 92, Hawaii Revised Statutes, and the person fails to request a contested case hearing within twenty days of receipt of the preliminary determination; and
- (2) Allow the Campaign Spending Commission to have an order confirmed as a judgment by the First Circuit Court, giving the order the same force and effect as any other judgment issued by the circuit courts.

Your Committee on Conference finds that the Campaign Spending Commission is unable to issue a fine against a person without providing the person with written notice and an opportunity to be heard at a hearing. Your Committee on Conference further finds that a person may waive these rights by written stipulation or consent. Your Committee on Conference additionally finds that the enforcement actions of the Campaign Spending Commission can be delayed if a person declines to participate in the hearing process. This measure will establish an implied waiver of a person's rights to notice and to be heard at a contested case hearing if the person fails to request a hearing prior to a preliminary determination, and will allow the Commission to file orders with the First Circuit Court and enable those orders to be enforceable and collectable in the same manner as other judgments of the court.

Your Committee on Conference has amended this measure by:

- (1) Providing that the right to written notice of an opportunity to be heard shall be deemed waived if a person fails to request a contested case hearing within thirty days of receipt of a preliminary determination rather than twenty days;
- (2) Making an order of the Campaign Spending Commission that is confirmed as a judgment by the First Circuit Court non-appealable; and
- (3) Making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 399, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 399, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 14 on S.B. No. 200

The purpose of this measure is to clarify that candidates or other committee representatives as specified who make contributions over a certain amount prior to an election are required to file a late contribution report only if the candidate is on the ballot in that election.

Your Committee on Conference finds that while contribution reporting requirements for candidate and noncandidate committees are vital to ensuring transparency and accountability in the election process, requiring candidates who are not on the ballot to file the late contributions report due on the third calendar day prior to an election is inefficient and provides negligible benefit to election integrity. Your Committee on Conference further finds that exempting candidates who are not on the ballot of an election from the requirement to file the late contributions report is consistent with the requirements under section 11-334, Hawaii Revised Statutes, for the filing of preliminary, final, and supplemental reports.

Your Committee on Conference has amended this measure by:

- (1) Specifying the amount of contributions that trigger the requirement to file a late contribution report as \$500;
- (2) Making it effective upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 200, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 200, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 15 on S.B. No. 413

The purpose of this measure is to exclude violation of privacy in the first degree, and certain subsections of violation of privacy in the second degree, from qualifying for deferred acceptance of guilty plea or nolo contendere plea.

Your Committee on Conference finds that under existing law a defendant may request a deferral of their criminal charges under certain circumstances. The trial court, after considering the merits of the case, and hearing argument from the prosecutor, may grant a deferral of the proceedings, only if the trial court finds that the defendant is not likely again to engage in a criminal course of conduct and that the ends of justice and welfare of society do not require that the defendant suffer the penalty imposed by law. Your Committee on Conference further finds that due to the serious nature of certain privacy violations involving

other people's intimate activities, private communications, or intimate areas of the body, without consent, deferred pleas should not be available for those offenses.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 413, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 413, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Matayoshi, Todd, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Gabbard, and Kim.

Managers on the part of the Senate.

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

Conf. Com. Rep. 16 on S.B. No. 189

The purpose of this measure is to repeal the requirement to prove that a dog has bitten a person on at least two separate occasions prior to bringing legal action against a dog's owner to determine whether conditions of treatment or confinement have changed so as to remove the danger the dog poses to other persons.

Your Committee on Conference finds that dog bites are among the top reasons for emergency room visits, ranking higher than injuries occurring on motorcycles, to pedestrians, and from gunshots. Your Committee on Conference further finds that existing state law only allows a dog bite victim standing in district court if it can be proven to the court that the dog has bitten and injured on a prior separate occasion. This measure will allow an individual to inquire into the conditions of treatment or confinement of a dog without the burdensome requirement of proving the dog previously bit a human being on two separate occasions.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 189, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 189, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Todd, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Lee, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 17 on S.B. No. 1421

The purpose of this measure is to:

- (1) Create a Dual Use Technology Task Force within the Department of Business, Economic Development, and Tourism to explore how dual use technology can be used to promote economic recovery and diversify the State's economy; and
- (2) Require the task force to submit reports to the Legislature prior to the Regular Sessions of 2023 and 2025.

Your Committee on Conference finds that dual use technology, or technology that has military and civilian applications, is vital to economic growth and a diversified economy in the Hawaii. Hawaii has an extraordinary opportunity to take advantage of the strong military presence in the State and the research conducted on its behalf. However, the State's heavy dependence on its tourism and hospitality industry has taken its focus away from developing innovative concepts and new approaches to technology. This measure allows the State to explore how dual use technology can be used to significantly contribute to Hawaii's economic recovery, thereby promoting a decreased reliance on tourism.

Your Committee on Conference has amended this measure by:

- (1) Inserting a dissolution date of July 1, 2025, for the Dual Use Technology Task Force; and
- (2) Inserting an effective date of July 1, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1421, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1421, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Quinlan, Takayama, Holt, DeCoite, and Okimoto.

Managers on the part of the House.

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

Senators Kim, Wakai, Moriwaki, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 18 on S.B. No. 489

The purpose of this measure is to increase the maximum area for each agricultural shade cloth structure, cold farm, and greenhouses that could qualify the structure for an exemption from building permit and building code requirements.

Your Committee on Conference finds that low-risk agricultural structures, such as agricultural shade cloth structures, cold frames, and greenhouses, are provided limited exemption from county building permit and building code requirements if under a specified maximum area. Increasing the maximum area allowed from twenty thousand to sixty thousand square feet will increase the number of agricultural structures available to support local food production. Your Committee on Conference further finds that this measure will drastically cut construction costs and effectively utilize the open areas currently required between smaller greenhouses and assist farmers to increase their operations for bigger and more cost-effective protective structures to shelter crops from pest infestation, extreme temperatures, excessive rains, long droughts, and feral animals. This measure seeks to make farming more productive and economically feasible for farmers and help Hawaii reach its self-sustaining food production goals.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 489, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 489, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Johanson, Todd, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Nishihara, and Baker.

Managers on the part of the Senate.

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

Conf. Com. Rep. 19 on S.B. No. 1222

The purpose of this measure is to:

- (1) Expand the scope of the programs for which the University of Hawaii at Hilo's Conference Center Revolving Fund may be expended to include conference center programs conducted by the University of Hawaii at Hilo;
- (2) Authorize the Chancellor of the University of Hawaii at Hilo or the Chancellor's designee, instead of the Dean of the College of Continuing Education and Community Service, to expend monies from the Revolving Fund;
- (3) Exempt the expenditure of monies from the Revolving Fund from bidding requirements under the Hawaii Public Procurement Code; and
- (4) Require the Chancellor of the University of Hawaii at Hilo to submit annual reports to the Legislature that include an accounting for all income and expenditures of the Revolving Fund.

Your Committee on Conference finds that under existing law, the Conference Center Revolving Fund is specifically designated to expend and collect monies in relation to the Conference Center Program offered by the College of Continuing Education and Community Service at the University of Hawaii at Hilo. However, since the College of Continuing Education and Community Service no longer exists, the University of Hawaii at Hilo has not been able to use the fund. This measure enables the University of Hawaii at Hilo to utilize the fund once again. Your Committee on Conference also finds that providing an exemption from the bidding requirements under the Hawaii Public Procurement Code would allow for more efficient use of expenditures out of the fund.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1222, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1222, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Takayama, Sayama, DeCoite, and Okimoto.

Managers on the part of the House.

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

Senators Kim, Kanuha, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 20 on S.B. No. 512

The purpose of this measure is to expand the Hawaii Healthy Food Incentive Program, also known as the Double Up Food Bucks Program (Program), to make fresh fruits and vegetables more readily accessible to families or individuals in Hawaii who receive assistance through the federal Supplemental Nutrition Assistance Program (SNAP), by:

- (1) Removing the \$10 per visit per day cap on the dollar-for-dollar match received by SNAP beneficiaries under the Program; and
- (2) Specifying that healthy proteins are eligible purchases under the Program.

Your Committee on Conference finds that despite the critical role that fresh fruits and vegetables play in a healthy diet and the prevention of obesity and chronic disease, access to fresh produce for income-limited individuals is difficult due to the high cost of fresh produce, especially for SNAP participants. The Program has been instrumental in supporting local families and farmers and participating local grocers experienced significant increases in sales of local fruits and vegetables paid with SNAP benefits. State investment into the Program will help to increase SNAP beneficiaries' access to fresh and health dietary options, further defray the high cost of healthy eating, and support the agricultural industry, which has been adversely impacted by the ongoing coronavirus disease 2019 pandemic. Further, state funds may generate significant leverage to stimulate economic activity and the State's objectives of doubling local food production by 2030.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 512, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 512, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Yamane, Cullen, Todd, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, English, and Rhoads.

Managers on the part of the Senate.

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

Conf. Com. Rep. 21 on S.B. No. 1412

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist HK Management LLC, in planning, designing, constructing, reconstructing, renovating, acquiring, equipping, and improving surf industry center facilities.

Your Committee on Conference finds that HK Management, LLC proposes to develop a surf industry center on state lands, which will include facilities for research, development, manufacturing, and a testing and surf and aquatic film studio. Moreover, the activities within the project facilities will provide opportunities for cultural education, awareness of the history of surfing and Hawaiian culture, employment opportunities, smart tourism, and economic development.

Your Committee on Conference has amended this measure by authorizing the issuance of special purpose revenue bonds in an amount not to exceed \$95,000,000 to assist HK Management LLC in the development of surf industry center facilities.

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

Signed by the Chairs on behalf of the Committee.

Representatives Quinlan, Holt, and Okimoto.

Managers on the part of the House.

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

Senators Shimabukuro, Kanuha, Wakai, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 22 on S.B. No. 345

The purpose of this measure is to prohibit a manufacturer from importing for profit, selling, or offering for sale any cosmetic that a manufacturer knew or reasonably should have known was developed or manufactured using animal testing performed, on or after January 1, 2022, in a cruel manner.

Your Committee on Conference finds that testing cosmetics on animals is cruel and increasingly unnecessary as there are now thousands of cosmetic ingredients whose effects have already been tested and compiled, especially when new alternatives to animal testing are readily available. These new testing methods are more efficient and humane and provide better predictors of adverse human reactions to new chemical compounds than animal testing. This measure aligns the State with other jurisdictions that have banned testing cosmetics on animals by striking a balance between a complete ban with limited exceptions to the animal testing prohibition.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 345, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 345, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Kitagawa, Todd, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Rhoads, and Baker.

Managers on the part of the Senate.

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

Conf. Com. Rep. 23 on S.B. No. 1225

The purpose of this measure is to:

- (1) Require the Chair of the Independent Audit Committee of the University of Hawaii Board of Regents to be selected in a manner consistent with the Bylaws of the Board of Regents;
- (2) Limit the Board of Regents' flexibility to appoint members to the Independent Audit Committee when no member of the Board of Regents has financial expertise, by removing its authority to make other arrangements, including appointing a member of the general public;
- (3) Exempt the Independent Audit Committee from public proceedings and records laws and open meetings laws during its discussions with auditors on matters that should remain confidential, and, at the Independent Audit Committee Chair's discretion, allow the discussions to be held in the absence of the President or Chief Financial Officer of the University of Hawaii; and
- (4) Clarify the Independent Audit Committee's role regarding the University of Hawaii's enterprise risk management.

Your Committee on Conference finds that the Independent Audit Committee is an advisory body established within the Board of Regents of the University of Hawaii by the Bylaws of the Board of Regents, and statutorily established in section 304A-321, Hawaii Revised Statutes. The Independent Audit

Committee's responsibilities include overseeing the University of Hawaii's compliance with, and internal controls relating to, various areas of risk management, finance, and accounting. The members of the Independent Audit Committee are appointed by the Chair of the Board of Regents from among the regents.

Your Committee on Conference further finds that while the chairs of the Board of Regents' other standing committees are appointed by the Board Chair pursuant to the Bylaws of the Board of Regents, existing law requires the Chair of the Independent Audit Committee to be selected by the committee members from among themselves. This requirement inadvertently creates a situation in which the Independent Audit Committee may not have a Chair, such as when the Chair's term on the Board of Regents ends on June 30, and committee membership is pending appointment by the Board Chair. In this situation, the Independent Audit Committee will have no Chair to plan and set the agenda for the committee's first meeting. This measure requires appointment of the Independent Audit Committee Chair to be consistent with the Bylaws of Board of Regents, and makes other clarifying amendments.

Your Committee on Conference also finds that there have been incidences in which audit reports of a University of Hawaii program that was reviewed by the Independent Audit Committee found significant issues warranting corrective or remedial action, including non-compliance with applicable laws and policies. Your Committee on Conference further finds that despite years after the issuance of the audit reports, some of the significant issues continue to exist and implications of non-compliance may remain unremedied.

Accordingly, your Committee on Conference has amended this measure by inserting language requiring the Independent Audit Committee to report to the Board of Regents significant issues relating to the operations and programs of the University of Hawaii that warrant corrective or remedial action, and requiring the Board of Regents to take certain actions to ensure that the significant issues are appropriately corrected and remedied.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1225, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1225, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Takayama, Ichiyama, DeCoite, Gates, and Okimoto.

Managers on the part of the House.

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

Senators Kim, Gabbard, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 24 on S.B. No. 855

The purpose of this measure is to:

- (1) Extend the sunset dates for the Pesticide Subsidy Program and Pesticide Subsidy Program Manager position for an additional two years;
- (2) Provide that the \$600 per year subsidy limit for each single coffee grower applies to coffee berry borer control, with a separate \$600 annual limit per grower for coffee leaf rust control;
- (3) Provide that no single coffee grower can receive subsidies totaling more than an unspecified amount per year after June 30, 2021, and before July 1, 2023; and
- (4) Expand the list of pesticides that the Department of Agriculture is required to establish to include those effective against coffee leaf rust.

Your Committee on Conference finds that the coffee berry borer, an invasive beetle, has been found on Hawaii island, Oahu, Maui, Kauai, and Lanai. In 2020, coffee leaf rust was discovered for the first time in the State on the islands of Maui and Hawaii. Your Committee on Conference further finds that this pest and fungus threaten the viability of the State's entire coffee industry, which represents one of the largest agricultural crops in the State and is an important part of Hawaii's economy. The two-year extension of the Pesticide Subsidy Program and Pesticide Subsidy Program Manager position under this measure will allow the State to continue to subsidize the cost of pesticides best shown to combat the coffee berry borer and coffee leaf rust, thus incentivizing coffee growers to adopt recommended pest management strategies.

Your Committee on Conference has amended this measure by:

- (1) Specifying \$12,000 as the total annual amount for which a single coffee grower can receive subsidies after June 30, 2021, and before July 1, 2023;
- (2) Changing the effective date to July 1, 2021; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 855, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 855, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Perruso, Todd, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Kanuha, and Nishihara.

Managers on the part of the Senate.

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

Conf. Com. Rep. 25 on S.B. No. 412

The purpose of this measure is to:

- (1) Clarify implied consent law to make an exception for giving a breath, blood, or urine test pursuant to a search warrant or any other basis permissible under the Constitution of the State of Hawaii and state law; and
- (2) Exclude habitually operating a vehicle under the influence of an intoxicant from qualifying for deferred acceptance of guilty plea or nolo contendere plea.

Your Committee on Conference finds that each person is typically allowed only one deferred plea in their lifetime, and that it is an opportunity for the person to show the court that they have learned their lesson and are unlikely to reoffend in the future. Your Committee on Conference further finds that because of the repeat nature of the offense and the potential for serious harm to others, offenders who habitually operate a vehicle under the influence of an intoxicant should not be eligible for deferred pleas.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 412, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 412, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Matayoshi, Marten, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Lee, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 26 on S.B. No. 157

The purpose of this measure is to authorize the issuance of a civil license to solemnize marriage and allow solemnization by any individual at least eighteen years of age.

Your Committee on Conference finds that officiants ordained by a religious denomination or society are currently the only persons besides justices, judges, and magistrates who are authorized to officiate a wedding in the State. Your Committee on Conference further finds that the right to marry belongs to all citizens, regardless of their moral beliefs or religious creed. This measure will allow persons without any religious affiliation to perform the marriage rite.

Your Committee on Conference has amended this measure by:

- (1) Providing for the issuance of a temporary three-month license upon the request of an applicant;
- (2) Specifying that the fee for a temporary three-month license shall be \$25; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 157, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 157, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Todd, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Lee, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 27 on S.B. No. 834

The purpose of this measure is to establish the felony offense of importation, sale, or possession of a childlike sex doll.

Your Committee on Conference finds that the widespread availability of childlike sex dolls, which are designed to look and feel as lifelike as possible, contributes to the exploitation, objectification, abuse, and sexual assault of minors. Your Committee on Conference further finds that the possession of a childlike sex doll correlates with other offenses perpetrated against children and may reinforce pedophilic thoughts and cause those thoughts to be acted upon with greater urgency. This measure will help protect minors from the harm associated with childlike sex dolls by prohibiting the importation, sale, or possession of a childlike sex doll.

Your Committee on Conference has amended this measure by:

- (1) Adding a misdemeanor offense for importation, sale, or possession of one childlike sex doll;
- (2) Making it effective upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 834, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 834, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Kitagawa, Ichiyama, and Matsumoto.

Managers on the part of the House.

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

Senators Rhoads, Acasio, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 28 on S.B. No. 807

The purpose of this measure is to:

- (1) Require each school's academic plan to include a clear accounting of all resources that will be allocated to address and achieve each measurable outcome; the school's priority improvement strategies and measures to determine progress; student growth indicators; information about programs intended to address social and economic conditions that adversely impact student learning; a breakdown of certain teacher vacancy data; average class sizes for all regular education, special education, and content-based English-language learning classes; and teacher workforce experience metrics; and
- (2) Require the Department of Education to submit an annual report on the school academic and financial plans to the Board of Education and the Legislature before the convening of each regular session.

Your Committee on Conference finds that there is a greater need for transparency and accountability from the Department of Education. Your Committee further finds that establishing clear guidance for what should be included in a school's academic plan will better inform the Legislature, Board of Education, and communities of what the school's measurable outcomes are and how resources are allocated to achieve those outcomes.

Your Committee on Conference has amended this measure by clarifying that the data inputs required for student growth indicators, teacher vacancy data, average class size, and school status and improvement report data shall be preloaded into the academic and financial plan template by the Department of Education, and not the individual schools' principals or complex superintendent.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 807, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 807, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Perruso, Ganaden, Hashimoto, and Okimoto.

Managers on the part of the House.

Ayes, 5; Ayes with Reservations (Okimoto). Noes, none. Excused, none.

Senators Kidani, Kanuha, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 29 on S.B. No. 1384

The purpose of this measure is to provide that the prohibition against serving two consecutive terms not to exceed eight consecutive years shall not apply to the term of the representative of Hawaiian medium early learning providers on the Early Learning Board.

Your Committee on Conference finds that the Early Learning Board provides crucial input, direction, and oversight necessary for the Executive Office on Early Learning to achieve its statutory responsibilities. Representatives on the Early Learning Board are reflective of the diversity of the early care and education field in Hawaii, providing unique and important input on how to best serve Hawaii's families and young children. The State has long recognized the value of its host culture and has taken such actions as designating the native Hawaiian language as one of its two official state languages and creating native Hawaiian immersion charter schools. This measure will allow for better qualified, continued representation for Hawaiian early learning providers on the Early Learning Board.

Your Committee on Conference amended this measure by:

- (1) Inserting a repeal date of June 25, 2025; and
- (2) Changing the effective date to upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1384, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1384, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Ilagan, Hashimoto, Perruso, and Okimoto.

Managers on the part of the House.

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

Senators Kidani, Kim, and Kanuha.

Managers on the part of the Senate.

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

Conf. Com. Rep. 30 on H.B. No. 776

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist Pueo Development, LLC, in building a master planned community on Hawaiian Home Lands.

Your Committee on Conference has amended this measure by:

- (1) Changing the authorized amount of the special purpose revenue bonds from an unspecified amount to \$80,000,000;
- (2) Deleting references to processing enterprises; and
- (3) Changing the effective date to July 1, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 776, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 776, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakamura, Yamashita, and Ward.

Managers on the part of the House.

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

Senators Shimabukuro, Kanuha, and English.

Managers on the part of the Senate.

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

Conf. Com. Rep. 31 on H.B. No. 119

The purpose of this measure is to amend Act 43, Session Laws of Hawaii 2019 (Act 43), by:

- (1) Replacing E Ola Mau Na Leo O Kekaha with Kaunalewa as the entity authorized to receive special purpose revenue bonds issued to assist with the acquisition, remediation, and development of the old Kekaha Sugar Mill in Kekaha, Kauai, Hawaii; and
- (2) Extending the lapse date for which the special purpose revenue bonds may be authorized from June 30, 2024, to June 30, 2026.

Your Committee has amended this measure by:

- (1) Reverting to Act 43's existing special purpose revenue bond authorization of \$10,000,000;
- (2) Deleting provisions that would have extended the lapse date for Act 43's special purpose revenue bond authorization;
- (3) Changing the effective date to upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 119, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 119, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Quinlan, Holt, Morikawa, and Okimoto.

Managers on the part of the House.

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

Senators Inouye, Kanuha, and Keith-Agaran.

Managers on the part of the Senate.

Ayes, 2. Noes, none. Excused, 1 (Keith-Agaran).

Conf. Com. Rep. 32 on H.B. No. 683

The purpose of this measure is to establish the Sustainable Aviation Fuel Program to provide matching grants to any small business in Hawaii that is developing products related to sustainable aviation fuel or greenhouse gas reduction from commercial aviation operations.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date to July 1, 2021; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 683, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 683, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Quinlan, Kitagawa, Holt, and Okimoto.

Managers on the part of the House.

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

Senators Lee, Wakai, and Kanuha.

Managers on the part of the Senate.

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

Conf. Com. Rep. 33 on H.B. No. 1043

The purpose of this measure is to facilitate the administration of the transient accommodations tax by:

- (1) Providing that any taxpayer who receives gross rental proceeds shall pay the tax;
- (2) Replacing certain references to "operator" or "plan manager" with "taxpayer" or "person";
- (3) Clarifying that a certificate of registration is required for persons advertising transient accommodations;
- (4) Eliminating the misdemeanor criminal penalty for failing to register and replacing it with a monetary fine structure;
- (5) Applying the personal liability provision under the general excise tax law to the transient accommodations tax; and
- (6) Repealing provisions establishing the office of the taxation district in which the taxes arose or the office of the first taxation district in Honolulu as the recipient of periodic returns.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1043, H.D. 3, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1043, H.D. 3, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Onishi, Quinlan, Sayama, and Okimoto.

Managers on the part of the House.

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

Senators Rhoads, Wakai, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 34 on H.B. No. 1253

The purpose of this measure is to:

- (1) Prohibit an employer, with certain exemptions, from requiring an employee or prospective employee to download to their personal communication device a mobile application that enables the employee's location to be tracked or their personal information to be revealed, as a condition of employment or continued employment;
- (2) Prohibit an employer, with certain exemptions, from terminating, discharging, or otherwise discriminating against an employee or prospective employee for refusing to download or refusing to consent to download the mobile application to the employee's personal communication device; or opposing any forbidden practice or filing a complaint, testifying, or assisting in any proceeding concerning an unlawful practice;
- (3) Allow a person who alleges a violation to bring a civil action for injunctive relief, actual damages, or both; and
- (4) Set fines for violations.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1253, H.D. 3, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1253, H.D. 3, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Onishi, Kitagawa, Matayoshi, and Okimoto.

Managers on the part of the House.

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

Senators Taniguchi, Rhoads, and Keohokalole.

Managers on the part of the Senate.

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

Conf. Com. Rep. 35 on H.B. No. 723

The purpose of this measure is to appropriate funds to purchase and distribute personal protective equipment and industrial hygiene products to hospitals, childcare facilities, elderly care facilities, businesses, nonprofits, schools, and state departments and attached agencies.

Your Committee on Conference has amended this measure by:

- (1) Reverting to the S.D. 1 version, which amends Act 9, Session Laws of Hawaii 2020, to authorize the use of funds received from the Coronavirus Aid, Relief, and Economic Security Act for the purchase and distribution of personal protective equipment and industrial hygiene products to state departments and attached agencies, in addition to other organizations; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 723, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 723, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ichiyama, Quinlan, Eli, and Ward.

Managers on the part of the House.

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

Senators Keohokalole, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 36 on H.B. No. 954

The purpose of this measure is to convert certain positions within the Hawaii Emergency Management Agency from civil service to exempt status.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 954, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 954, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ichiyama, Onishi, Eli, Sayama, and Ward.

Managers on the part of the House.

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

Senators Nishihara, Taniguchi, English, Rhoads, and Riviere.

Managers on the part of the Senate.

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

Conf. Com. Rep. 37 on H.B. No. 103

The purpose of this measure is to:

- (1) Clarify that the powers granted for emergency purposes shall not be inconsistent with the Hawaii State Constitution;
- (2) Provide parameters for the duration of suspension of laws under an emergency order and require justification for the suspension;

- (3) Require approval of the Legislature by concurrent resolution to extend to a date certain, or deny the extension of, a proclamation of a state of emergency timely requested by the Governor and specifies that if the Legislature fails to take action, the state of emergency is automatically extended for sixty days; and
- (4) Allow the authorization of the issuance of a separate proclamation arising from the same emergency or disaster as a previous proclamation that expired, upon request of the Governor and adoption of a concurrent resolution by the Legislature.

Your Committee on Conference has amended this measure by:

- (1) Clarifying further the parameters for the termination of a state of emergency;
- (2) Specifying that if an emergency proclamation was terminated by the Legislature, a subsequent proclamation declaring the existence of a state of emergency arising from the same emergency or disaster may be authorized for no more than sixty days upon the request by the Governor and adoption of a concurrent resolution by the Legislature;
- (3) Changing the effective date to upon approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 103, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 103, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ichiyama, Nakashima, Nishimoto, Eli, and Ward.

Managers on the part of the House.

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

Senators Moriwaki, Rhoads, and Wakai.

Managers on the part of the Senate.

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

Conf. Com. Rep. 38 on H.B. No. 237

The purpose of this measure is to appropriate funds to the Department of Agriculture for the mitigation and control of the two-lined spittlebug and fund recovery efforts.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$350,000 for fiscal year 2021-2022 only;
- (2) Changing the source of funding to the funds received by the State of Hawaii from the American Rescue Plan Act of 2021, Public Law 117-2 (Section 9901);
- (3) Changing its effective date to July 1, 2021; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 237, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 237, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Perruso, Tokioka, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Inouye, and Kanuha.

Managers on the part of the Senate.

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

Conf. Com. Rep. 39 on H.B. No. 1192

The purpose of this measure is to:

- (1) Establish a framework for providing new, viable installment loan transactions; and
- (2) Repeal the statutory authorization for deferred deposit transactions in the State.

Your Committee on Conference has amended this measure by:

- (1) Specifying that the late filing fees for an installment lender's failure to file an annual report or pay the annual renewal fee are to be assessed on a per day basis, rather than per business day;
- (2) Changing the effective date to July 1, 2021; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1192, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1192, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Cullen, and Matsumoto.

Managers on the part of the House.

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

Senators Baker, English, and Rhoads.

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

Conf. Com. Rep. 40 on H.B. No. 1016

The purpose of this measure is to:

- (1) Provide that a single valid commercial marine vessel license satisfies the licensure requirement for all persons aboard the licensed vessel, if the vessel is on a trip of seventy-two hours or less;
- (2) Require any person who provides fishing charter services to obtain a commercial marine license;
- (3) Allow any vessel used for or engaged in the taking of marine life for commercial purposes to obtain a commercial marine vessel license, if the vessel is on a trip of seventy-two hours or less;
- (4) Authorize the Department of Land and Natural Resources to establish rules and fees for the issuance of a commercial marine vessel license; and
- (5) Require the Department of Land and Natural Resources to submit a report to the Legislature regarding the status of its administrative rules establishing a new commercial marine vessel license category.

Your Committee on Conference has amended this measure by:

- (1) Providing that a single valid commercial marine vessel license satisfies the licensure requirement for all persons aboard the licensed vessel, regardless if the vessel is on a trip of seventy-two hours or less;
- (2) Requiring the commercial marine vessel licensee of a Hawaii longline vessel that satisfies the commercial marine license requirement by obtaining the vessel license to file an annual report with the Department of Land and Natural Resources that contains the identity, nationality, arrival date, and departure date of the crew members;
- (3) Authorizing any vessel used for or engaged in the taking of marine life for commercial purposes to be eligible to obtain a commercial marine vessel license, regardless if the vessel is on a trip of seventy-two hours or less;
- (4) Changing the effective date to upon its approval; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1016, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1016, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 41 on H.B. No. 1291

The purpose of this measure is to allow applicants to the University of Hawaii who earned a high school diploma from a public high school in the State with a cumulative grade point average of 3.0 and also provide evidence that they qualified for and received special education services for two or more years during enrollment in grades nine through twelve to be eligible for the Hawaii State Scholars Program.

Your Committee on Conference has amended this measure by:

- (1) Amending the eligibility requirements to include applicants who provide evidence that the student qualified for and received special education for two or more years during enrollment in grades seven through twelve; and
- (2) Changing the effective date to upon approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1291, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1291, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Takayama, Perruso, DeCoite, and Okimoto.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

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

Conf. Com. Rep. 42 on H.B. No. 282

The purpose of this measure is to:

- (1) Expand the circumstances where a minor may consent to no cost emergency shelter and related services to include cases where the provider is coordinating with the Department of Human Services' Child Welfare Services Branch; and
- (2) Clarify the definition of "provider" as it relates to the entities eligible to provide no cost emergency shelter and related services to a consenting minor to include certain organizations who are not considered child placing organizations or child caring institutions.

Your Committee on Conference has amended this measure by:

- (1) Removing as duplicative the requirement that a provider coordinate with the Department of Human Services, as this requirement is already contained in the expanded definition of "provider" as amended by this measure; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 282, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 282, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Nakashima, LoPresti, and Ward.

Managers on the part of the House.

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

Senators San Buenaventura, Rhoads, and Acasio.

Managers on the part of the Senate.

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

Conf. Com. Rep. 43 on H.B. No. 313

The purpose of this measure is to:

- (1) Repeal the requirement that no less than fifty percent of the assessment fees deposited into the John A. Burns School of Medicine Special Fund be used for purposes identified by the Hawaii Medical Education Council;
- (2) Repeal the monetary cap of expenditures from the John A. Burns School of Medicine Special Fund; and
- (3) Authorize monies in the John A. Burns School of Medicine Special Fund to be used to provide loan repayment to physicians who commit to working in medically underserved areas of the State as part of the Hawaii State Loan Repayment Program and award scholarships for qualifying medical students.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the name of the loan repayment program is the "Hawaii State Loan Repayment Program";
- (2) Changing the effective date to July 1, 2021; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 313, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 313, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Takayama, Tam, DeCoite, LoPresti, and Ward.

Managers on the part of the House.

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

Senators Kim, Kanuha, Rhoads, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 44 on H.B. No. 334

The purpose of this measure is to:

- (1) Establish the State Drug and Alcohol Toxicology Testing Laboratory Special Fund to support a State Drug and Alcohol Toxicology Testing Laboratory;
- (2) Specify that monies in the State Highway Fund may be expended for the cost of establishing a State Drug and Alcohol Toxicology Testing Laboratory;
- (3) Require that fines imposed on offenders convicted of repeat or habitual offenses involving operating a vehicle under the influence of an intoxicant or convicted of operating a vehicle after a license and privilege have been suspended or revoked for operating a vehicle under the influence of an intoxicant be deposited into the State Drug and Alcohol Toxicology Testing Laboratory Special Fund; and
- (4) Require the Department of Health to submit reports to the Legislature on expenditures from the State Drug and Alcohol Toxicology Testing Laboratory Special Fund.

Your Committee on Conference has amended this measure by:

- (1) Reverting to the H.D. 1 version, which is substantially similar; and
- (2) Further amending this measure by:
 - (A) Abolishing and repealing the State Drug and Alcohol Toxicology Testing Laboratory Special Fund on June 30, 2026, and requiring any unencumbered remaining balances to lapse to the general fund; and
 - (B) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 334, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 334, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Holt, Tokioka, and Ward.

Managers on the part of the House.

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

Senators Keohokalole, Rhoads, English, San Buenaventura, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 45 on H.B. No. 887

The purpose of this measure is to:

- (1) Create a separate commercial sexual exploitation offense for those who provide anything of value to engage in sexual conduct with another;
- (2) Specify that the offense of sex trafficking may be prosecuted at any time;
- (3) Specify that sex trafficking includes advancing or profiting from prostitution by certain means, including through coercion;
- (4) Make a person strictly liable for sex trafficking of a minor in terms of the victim's age;
- (5) Rename offenses involving the solicitation of prostitution to use the more appropriate term of commercial sexual exploitation;
- (6) Amend the elements for commission of the offense of commercial sexual exploitation of a minor and increase the grade of offense to a class B felony;
- (7) Include anything of value as a type of compensation for purposes of engaging in prostitution or other offenses involving commercial sexual exploitation; and
- (8) Clarify the exemption from commercial sexual exploitation and prostitution-related offenses for law enforcement officers acting in the course and scope of duties.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the definition of "sexual offense" under the Registration of Sex Offenders and Other Covered Offenders and Public Access to Registration Information Chapter applies to persons who commit the offense of commercial sexual exploitation in reckless disregard of the fact that the person exploited is a victim of sex trafficking, rather than petty misdemeanor commercial sexual exploitation offenders;
- (2) Clarifying that the state of mind requirement for the offense of commercial sexual exploitation is not applicable to the fact that the victim was a minor if the person provides anything of value to a minor or third person as compensation for having engaged in sexual conduct with a minor, rather than if the person offers or agrees to provide anything of value to a member of a police department, a sheriff, or a law enforcement officer who represents that person's self as a minor to engage in sexual conduct; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 887, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 887, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Matayoshi, and Ward.

Managers on the part of the House.

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

Senators San Buenaventura, Rhoads, and Misalucha.

Managers on the part of the Senate.

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

Conf. Com. Rep. 46 on S.B. No. 367

The purpose of this measure is to waive the requirement for section 401 water quality certification for certain small-scale beach restoration projects authorized by the Department of Land and Natural Resources.

Your Committee on Conference finds that waiving the requirement of water quality certification for small-scale beach restoration projects will result in the efficient administration of site-specific water pollution control and more practical and realistic erosion control alternatives to the deleterious practice of coastal armoring.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 367, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 367, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Tarnas, Nakashima, Kong, and Matsumoto.

Managers on the part of the House.

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

Senators Inouye, Gabbard, Rhoads, and Keith-Agaran.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Keith-Agaran).

Conf. Com. Rep. 47 on S.B. No. 764

The purpose of this measure is to add a permanent commercial driver's license disqualification for a holder of a commercial driver's license or commercial learner's permit who is convicted of a felony involving a severe form of trafficking in persons.

Your Committee on Conference finds that on July 23, 2019, the Federal Motor Carrier Safety Administration of the United States Department of Transportation issued a final rule that provides that drivers who are convicted of a felony involving severe forms of trafficking in persons while operating a commercial motor vehicle for which a commercial driver's license or commercial learner's permit is required are permanently banned from holding the license or permit without the possibility of reinstatement. Your Committee on Conference further finds that this final rule requires states to achieve substantial

compliance within three years of the final rule's effective date to avoid certain penalties. Accordingly, this measure brings Hawaii into compliance with the federal rule.

Your Committee on Conference notes that the S.D. 1 version of this measure specifies the definition for the term "severe forms of trafficking in persons", rather than providing a citation for the definition in the corresponding federal rule. The language in the S.D. 1 is therefore preferable for purposes of clarity.

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

- (1) Deleting language that would have inserted the definition of "severe forms of trafficking in persons" into section 286-2, Hawaii Revised Statutes, and instead inserting it into section 286-240, Hawaii Revised Statutes;
- (2) Inserting a definition for the term "commercial sex act"; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 764, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 764, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Ichiyama, LoPresti, and Matsumoto.

Managers on the part of the House.

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

Senators Baker, Rhoads, and Chang.

Managers on the part of the Senate.

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

Conf. Com. Rep. 48 on S.B. No. 973

The purpose of this measure is to:

- (1) Amend the Money Transmitters Act;
- (2) Incorporate definitions of key terms provided in the Model Money Services Business Law;
- (3) Add supporting documentation required to be submitted by an applicant for licensure;
- (4) Extend the period of an applicant's litigation and criminal conviction history review from five years to ten years from the date of the application;
- (5) Require an applicant to submit information concerning any bankruptcy or receivership proceedings; and
- (6) Clarify the authority of the Commissioner of Financial Institutions to examine and investigate licensees and participate in nationwide protocols for licensing cooperation.

Your Committee on Conference finds that the money transmission industry has evolved since the enactment of Hawaii's Money Transmitter Act in 2006. The current fast-paced nature of money transmission and the increased innovation of financial technologies necessitates additional oversight of money transmitters to ensure appropriate consumer protection. This measure adopts certain model act provisions to allow Hawaii to work alongside a network of states to enable timely, coordinated, and efficient regulation of trans-global, regional, and single-state money transmission companies to provide financial stability and better protect consumers.

Your Committee on Conference has amended this measure by inserting an effective date of July 1, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 973, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 973, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Quinlan, Johanson, Holt, and Okimoto.

Managers on the part of the House.

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

Senators Baker, Rhoads, and Misalucha.

Managers on the part of the Senate.

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

Conf. Com. Rep. 49 on S.B. No. 766

The purpose of this measure is to allow a penalty of up to \$5,000 for certain repeat offenders of the motor carrier law.

Your Committee on Conference finds that commercial Public Utilities Commission (PUC) motor carriers traditionally transport high numbers of tourists to many locations around the State. However, the trucking and tour vehicle industry have long had to contend with unlicensed and unregulated operators who seek to skirt the PUC requirements of motor carrier operations. This measure will strengthen the PUC's ability to punish those who repeatedly break the rules.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 766, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 766, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Kitagawa, Nishimoto, and Matsumoto.

Managers on the part of the House.

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

Senators Lee, Baker, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 50 on S.B. No. 1409

The purpose of this measure is to:

- (1) Prohibit a newly appointed or reappointed council, board, and commission member from serving if the member has not completed, within the requisite time, the required training course related to native Hawaiian and Hawaiian traditional and customary rights, native Hawaiian and Hawaiian natural resource protection and access rights, and the public trust, including the State's trust responsibility;
- (2) Require the Office of Hawaiian Affairs and Department of Land and Natural Resources to compile an annual report of council, board, and commission members who have failed to complete their training course requirement; and
- (3) Require the Office of Hawaiian Affairs to record the training courses and make the recordings available to those who were unable to attend the training course in person.

Your Committee on Conference finds that Act 169, Session Laws of Hawaii 2015 (Act 169), required the Office of Hawaiian Affairs to establish, design, and administer a training course on native Hawaiian traditional and customary rights, the source of these rights, and how the infringement of these rights affects native Hawaiians. Act 169 requires new members of certain state councils, boards, and commissions to complete the training course within one year of their appointment. Currently, a significant number of board and commission members subject to the mandatory training course continue to fail to comply with their training course completion responsibility. Therefore, this measure strengthens requirements of the completion of the training course, which will ensure greater recognition and incorporation of native Hawaiian knowledge, values, and rights in land use and resource management decision-making.

Your Committee on Conference has amended this measure by:

- (1) Removing language that would have allowed for individual votes taken by council, board, or commission members who fail to complete the mandatory training course within the required time period to be challenged and subject to being nullified and voided following a contested case proceeding;
- (2) Clarifying that the Office of Hawaiian Affairs shall record the training courses and make the recordings available to council, board, and commission members identified in section 10-41(a), Hawaii Revised Statutes, who have not yet satisfied the training requirement and were unable to attend the training course;
- (3) Specifying that viewing a recording of a training course satisfies the training requirement;
- (4) Changing the effective date to April 1, 2022; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1409, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1409, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Cullen, Takumi, and Ward.

Managers on the part of the House.

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

Senators Shimabukuro, Rhoads, Acasio, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 51 on S.B. No. 696

The purpose of this measure is to:

- (1) Extend the date on which the temporary Commission on the Thirteenth Festival of Pacific Arts ceases to exist to August 31, 2025; and
- (2) Permit less than a quorum of members of the temporary Commission on the Thirteenth Festival of Pacific Arts to discuss matters relating to official board business outside a Commission meeting as a permitted interaction matter under part I of chapter 92, Hawaii Revised Statutes, to enable the members to perform their duties faithfully, provided that the Commission holds a meeting at least once a month.

Your Committee on Conference finds that Act 104, Session Laws of Hawaii 2017 (Act 104), created the temporary Commission on the Thirteenth Festival of Pacific Arts (Commission) to plan the Festival of Pacific Arts originally scheduled to be held in Hawaii in 2020. Due to the outbreak of the coronavirus disease 2019, the Pacific Community notified the State that it is postponing the Festival of Pacific Arts to 2024. Therefore, the Commission, which was to cease to exist on June 30, 2021, must be extended to fulfill its duties to plan for the Thirteenth Festival of Pacific Arts in 2024. Additionally, Commission members have had to take on more hands-on tasks because of a lack of contractor to oversee the festival; thus, this has resulted in smaller groups of Commission members that need to communicate outside of publicly noticed meetings to carry out their tasks. Your Committee on Conference finds that this measure will balance the public interest in access to government decision-making, while simultaneously allowing Commission members to oversee the tasks necessary to running the festival.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 696, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 696, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Gates, Cullen, Har, and Ward.

Managers on the part of the House.

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

Senators Shimabukuro, Rhoads, and English.

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

Conf. Com. Rep. 52 on S.B. No. 516

The purpose of this measure is to:

- (1) Beginning July 1, 2022, require the State Board for Career and Technical Education to oversee and review annually certain statewide processes, requirements, and rules related to the student attainment of industry-recognized credentials;
- (2) Require an annual report to the Governor and Legislature; and
- (3) Require the statewide longitudinal data system to include career and technical education data for analysis.

Your Committee on Conference finds that in the current job market, nearly sixty-five percent of available positions require postsecondary credentials. Industry-recognized credentials are important because they teach the specific knowledge and skills that are required for an occupation or industry. This measure will help break down Hawaii labor market data by credentials to help develop career and technical training pathways that can contribute to future workforce generations.

Your Committee on Conference amended this measure by changing the effective date to upon its approval; provided that the provision in this measure that requires the State Board for Career and Technical Education to oversee and review certain processes related to industry-recognized credentials shall take effect on July 1, 2022.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 516, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 516, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Matayoshi, Perruso, Ganaden, Gates, and Okimoto.

Managers on the part of the House.
Ayes, 6. Noes, none. Excused, none.

Senators Kidani, Wakai, and Kanuha.

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

Conf. Com. Rep. 53 on S.B. No. 1212

The purpose of this measure is to amend the registration requirements for motor carrier vehicles that have an outstanding federal out-of-service order.

Your Committee on Conference finds that this measure will bring Hawaii into compliance with the federal Performance Registration Information Systems Management (PRISM) program that identifies motor carriers that are under a federal out-of-service order because those motor carriers have not corrected safety deficiencies found in compliance review inspections. This measure will allow the State to be compliant with and qualify under PRISM and thus continue to qualify for federal funding.

Your Committee on Conference has amended this measure by inserting an effective date of July 1, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1212, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1212, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Johanson, Ilagan, and Matsumoto.

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

Senators Lee, Baker, and Fevella.

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

Conf. Com. Rep. 54 on S.B. No. 474

The purpose of this measure is to require that mandatory seller disclosures in real property transactions include whether a residential real property is within the sea level rise exposure area as designated by the Hawaii Climate Change Mitigation and Adaptation Commission or its successor.

Your Committee on Conference finds that the value of property lying within the boundaries of a sea level rise exposure area will likely be affected over time, and is therefore a material fact that should be disclosed by the seller in a real property transaction in accordance with chapter 508D, Hawaii Revised Statutes, relating to mandatory seller disclosures in real estate transactions. Your Committee on Conference further finds that the Hawai'i Association of REALTORS will need time to not only update the seller's real property disclosure statement and the oceanfront property addendum of their purchase contracts, but also to train their members to use the Hawaii sea level rise viewer, which is an interactive mapping tool that depicts projections for future hazard exposure and assesses economic and other vulnerabilities due to rising sea levels.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 474, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 474, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Johanson, Ganaden, and McDermott.

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

Senators Inouye, Baker, Rhoads, and Misalucha.

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

Conf. Com. Rep. 55 on S.B. No. 1313

The purpose of this measure is to:

- (1) Establish, no later than January 1, 2023, a pilot project in the Division of Aquatic Resources of the Department of Land and Natural Resources to restock northern largemouth bass, butterfly peacock bass, or both, in the Wahiawa public fishing area in central Oahu; and
- (2) Require the Division of Aquatic Resources to apply to the Board of Agriculture for the permit to import the northern largemouth bass and work with another public entity or partner with a private entity to accomplish the pilot project.

Your Committee on Conference finds that the northern largemouth bass and butterfly peacock bass are some of the most popular gamefish in the United States; however, bass fishing in Hawaii is far less popular than in other states, partially because of the lack of a diverse population of these sport fish in Hawaii's artificial reservoirs. Placing the northern largemouth bass and the butterfly peacock bass on the Restricted Animal List, Part B, would allow the Department of Land and Natural Resources the ability to import and restock the Wahiawa public fishing area to refresh the genetic diversity of these fish populations while minimizing the risk of spread or possible introduction to other bodies of water. This measure would thereby enhance and support the pre-existing populations for continued recreational fishing in Hawaii.

Your Committee on Conference has amended this measure by:

- (1) Providing that the pilot project shall be established provided that the Board of Agriculture has placed the northern largemouth bass and butterfly peacock bass on the list of restricted animals that require a permit for both import into the State and possession, pursuant to section 150A-6.2, Hawaii Revised Statutes;
- (2) Inserting an effective date of July 1, 2021; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1313, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1313, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 56 on S.B. No. 1150

The purpose of this measure is to authorize the Department of Health to accept nationally recognized accreditation or certification organizations to demonstrate a skilled facility's compliance with the licensing inspections required by the State.

Your Committee on Conference finds that The Joint Commission and other nationally recognized accrediting agencies have certification standards that are more stringent than those required by state law. Your Committee on Conference further finds that authorizing the Department of Health to recognize these accreditation and certification reviews to establish a skilled nursing facility's compliance with state licensing requirements will allow the Department of Health to better allocate resources to its regulatory oversight responsibilities, while also permitting the Department's Office of Healthcare Assurance to deploy staffing resources to other equally important investigations and surveys.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1150, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1150, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 57 on S.B. No. 224

The purpose of this measure is to:

- (1) Give a preference to students who live within the service area of a school or who were enrolled at the school in the previous school year and apply for participation in a career and technical education program offered by that school; and
- (2) Exempt students enrolled in a career and technical education program from the requirement to attend school within the service area in which a student resides.

Your Committee on Conference finds that a gap exists between the skills that students in the State attain upon graduation from high school and the skills that employers in the State are seeking. Business leaders in Hawaii's expanding industries report that it is often difficult to recruit local applicants who have the necessary skills and experiences. Your Committee on Conference further finds that educational programs specializing in career readiness and technical skills can be effective in preparing students in Hawaii to enter the State's job market. This measure expands the number of students receiving career and technical skills education by allowing students to enroll in career and technical programs, regardless of where they reside.

Your Committee on Conference has amended this measure by:

- (1) Updating the purpose section; and
- (2) Changing the effective date to upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 224, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 224, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Perruso, Gates, and Okimoto.

Managers on the part of the House.

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

Senators Kidani, Kanuha, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 58 on S.B. No. 806

The purpose of this measure is to require the Attorney General, on behalf of the Department of Education, to institute proceedings to acquire certain land owned by the Mililani Town Association by voluntary action or condemnation.

Your Committee on Conference finds that the Mililani Town Association owns a parcel of land that fronts Mililani High School. Mililani High School desires to build an access ramp on this parcel that is compliant with the Americans for Disabilities Act to allow students, staff, family members, and the general public access to the school. Mililani Town Association is amenable to this construction and would like to avoid the potential for liability by transferring title to the parcel to the State. This measure provides a legal process for the friendly condemnation of the parcel by the State in a manner agreeable to all parties.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 806, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 806, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Tarnas, Matayoshi, Cullen, Tokioka, and Okimoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 2 (Tarnas, Tokioka).

Senators Kidani, Wakai, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 59 on S.B. No. 813

The purpose of this measure is to require authorizers to provide to each charter school it oversees a list of approved independent auditors.

Your Committee on Conference finds that charter schools may only select an auditor from a list of three auditors selected by the authorizer. There are currently not enough auditors in Hawaii to meet the required timeline to ensure charter school audits are included in the consolidated annual financial reports. Your Committee further finds that many of the auditors selected by the authorizer are based on Oahu, which makes it more difficult for charter schools on the other islands to complete their audits and forces those charter schools to incur additional expenses and delays. This measure would allow the charter schools to choose from a list of more than three independent auditors to conduct audits and provide access to auditors for the many charter schools that operate on all the islands across the State.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 813, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 813, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Johanson, Ilagan, Gates, Perruso, and Okimoto.

Managers on the part of the House.

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

Senators Kidani, Kanuha, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 60 on S.B. No. 811

The purpose of this measure is to require the Department of Education to publish a weekly report on schools that have reported positive coronavirus disease 2019 (COVID-19) cases.

Your Committee on Conference finds that although the Department of Education has stated that it has communication policies and procedures in place to address COVID-19 cases, it generally has not provided information about positive COVID-19 test result cases on all school campuses and the limited information that it has shared has been inconsistent and incomplete. Your Committee further finds that of the limited information publicly released, positive COVID-19 cases listed by schools are not included. This measure will help to provide critical, real-time data necessary to assess school reopening and to respond to COVID-19 outbreak events that may place students, their families, and school staff at a heightened risk.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 811, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 811, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Ichiyama, Ilagan, Eli, Hashimoto, and Okimoto.

Managers on the part of the House.

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

Senators Kidani, Rhoads, Dela Cruz, Kanuha, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 61 on S.B. No. 404

The purpose of this measure is to:

- (1) Lower the monetary threshold that triggers disclosure of electioneering communications. Repeals the requirement that disclosures of electioneering communications occur on the date of any subsequent expenditures;
- (2) Classify election advertisements sent by mail at any postal rate as electioneering communications;
- (3) Exempt communications that are actual expenditures of an organization from being considered electioneering communications; and
- (4) Exclude candidate and candidate committees from the disclosure requirements.

Your Committee on Conference finds that electioneering communications are meant to expose noncandidate influences on elections which have been shown to radically influence the outcomes of elections in the State. Your Committee on Conference further finds that changing the disclosure date to the date on which the advertisement runs and triggering the requirement to file a statement of information at that time will increase public transparency and accountability in campaign advertising.

Your Committee on Conference has amended this measure by making it effective upon its approval; provided that it applies beginning with the 2022 primary election.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 404, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 404, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives McKelvey, Nakashima, D. Kobayashi, Tokioka, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Lee, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 62 on S.B. No. 1387

The purpose of this measure is to require dog and cat owners to microchip their pets.

Your Committee on Conference finds that microchips are the safest, most accessible, and most affordable identification tool for pet owners. Microchipping is an affordable way to locate a missing pet as it bypasses the need for animal control, thereby eliminating the cost of intake and boarding of lost pets at the expense of taxpayers. This measure will ensure that lost pets are returned to their owners in a timely and safe manner by requiring certain dogs and cats to be microchipped.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1387, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1387, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Johanson, Todd, and Matsumoto.

Managers on the part of the House.

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

Senators Rhoads, Gabbard, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 63 on S.B. No. 385

The purpose of this measure is to:

- (1) Enact the 2018 Uniform Trust Code; and
- (2) Repeal the Uniform Trustees' Powers Act, Uniform Prudent Investor Act, and laws regarding trust administration under the Uniform Probate Code.

Your Committee on Conference finds that to date, the Uniform Trust Code has been enacted by thirty-four states and the District of Columbia. Your Committee on Conference further finds that this piece of uniform legislation standardizes the law of trusts so that parties across a diverse range of jurisdictions can rely on the same governing principles. This measure will update Hawaii statutes relating to trusts and bring them under one comprehensive umbrella, which will significantly reduce the time, complexity, and expense of trust proceedings.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 385, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 385, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Matayoshi, Johanson, Marten, D. Kobayashi, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Acasio, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 64 on S.B. No. 1042

The purpose of this measure is to:

- (1) Repeal the provision that allows persons designated as sex offenders in another state or jurisdiction to petition the Attorney General for termination of registration requirements upon demonstrating that the out-of-state convictions are not covered offenses in the State of Hawaii;
- (2) Require certain long term visitors to Hawaii with out-of-state sex offender convictions to register; and
- (3) Clarify how persons required to register as sex offenders can petition to terminate registration.

Your Committee on Conference finds that existing sex offender registration laws allow out-of-state persons who intend to reside or maintain a residence in Hawaii, visit Hawaii for ten or more days, or visit Hawaii for thirty or more days a year, and who have been or are required to be registered in another state as a sex offender, to avoid registration by establishing that they do not meet the criteria for registration as a covered offender in Hawaii because the out-of-state conviction in their state is not for a covered offense under Hawaii law. Your Committee on Conference further finds that allowing out-of-state covered offenders to avoid registering as a sex offender in Hawaii by demonstrating that Hawaii's law is different from the law of the state that required the person to register as a sex offender is an unintended loophole in the registration law. This measure closes the loophole by requiring those persons who have been designated as a sex offender in another state, who is or would be required to be on a sex offender registry in that state, to be subject to registration requirements in the State of Hawaii.

Your Committee on Conference amended the measure by:

- (1) Specifying that a denial by the court for relief shall preclude the filing of another petition for termination of registration requirements for five years; and
- (2) Making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1042, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1042, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Matayoshi, Todd, and Ward.

Managers on the part of the House.

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

Senators Nishihara, Rhoads, and Riviere.

Managers on the part of the Senate.

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

Conf. Com. Rep. 65 on S.B. No. 153

The purpose of this measure is to:

- (1) Prohibit any person whose driver's license has been administratively revoked or who has been convicted for offenses involving operating a vehicle under the influence of an intoxicant from being eligible for a driver's license without providing proof of compliance with the ignition interlock law;
- (2) Require the Director of Transportation to contract with the selected ignition interlock vendor to provide at no cost for the installation and periodic calibration charges to certain offenders who apply for assistance; and
- (3) Require a person who does not own or have the use of a vehicle in which the person can install an ignition interlock device during the revocation period or is otherwise unable to drive during the revocation period to be absolutely prohibited from driving during a period of time equal to twice that of the applicable revocation period.

Your Committee on Conference finds that the ignition interlock program plays a crucial role in preventing an individual from being a repeat offender of driving under the influence of an intoxicant. However, your Committee on Conference has several questions regarding the ignition interlock program and how it can be improved.

Your Committee on Conference notes that resolving these issues through a task force of experts is the best path forward. Your Committee on Conference finds that in 2016, Governor Ige signed Executive Order No. 16-02 that temporarily established the Hawaii Impaired Driving Task Force. The purpose of the task force was to provide a comprehensive strategy for preventing and reducing impaired driving behavior in Hawaii. Because there are lingering questions surrounding the ignition interlock program and impaired driving in general, your Committee on Conference finds it appropriate to make the Hawaii Impaired Driving Task Force a permanent body housed within the Department of Transportation and tasking it with answering the unresolved ignition interlock questions.

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

- (1) Deleting its contents and inserting language that establishes the Hawaii Impaired Driving Council and tasking it with addressing the questions raised by the discussion on this measure; and
- (2) Making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 153, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 153, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Matayoshi, Todd, and Ward.

Managers on the part of the House.

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

Senators Lee, Rhoads, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 66 on S.B. No. 1291

The purpose of this measure is to:

- (1) Include autocycles equipped with handlebars in the definition of motorcycle in the Highway Safety Act; and
- (2) Exempt motorcycles and motor scooters with a roll bar or roll cage from the safety helmet requirement.

Your Committee on Conference finds that existing law is unclear whether certain three-wheeled electric vehicles that use handlebar steering in place of a steering wheel are classified as motorcycles or autocycles. As a result, operators of these vehicles must obtain a motorcycle endorsement for operation, even though the vehicles handle very similarly to front wheel drive automobiles. This measure clarifies that vehicles with three wheels and handlebars are included in the definition of motorcycle under the Hawaii highway safety act.

Your Committee on Conference has amended this measure by inserting an effective date of July 1, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1291, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1291, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Johanson, Takumi, and Matsumoto.

Managers on the part of the House.

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

Senators Lee, Rhoads, and Inouye.

Managers on the part of the Senate.

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

Conf. Com. Rep. 67 on S.B. No. 615

The purpose of this measure is to:

- (1) Require all moped and motor scooter rental companies to ensure the rider wears a safety helmet supplied either by the company or the renter, except for riders with a motorcycle license;
- (2) Prohibit the rental of any moped or motor scooter that is not equipped with a flag or any moped or scooter with aftermarket modifications; and
- (3) Amend the definition of "motor scooter" under the Hawaii Highway Safety Act and the Statewide Traffic Code.

Your Committee on Conference finds that from 2016 to 2018, there were twenty-three motor scooter and moped operator fatalities, and of the twenty-three fatalities, twenty-two operators were not wearing helmets. Wearing a helmet while operating a moped, powered scooter, or other motorized cycle decreases fatalities and serious injuries. Your Committee on Conference notes that according to the Hawaii Injury Prevention Plan for 2012-2017, published by the Department of Health and the Emergency Services and Injury Prevention System Branch, properly worn helmets can reduce the risk of death by forty-two percent and the risk of a head injury by sixty-nine percent. This measure will reduce fatal moped or motor scooter accidents by requiring most riders to wear a helmet.

Your Committee on Conference has amended this measure by:

- (1) Clarifying the requirements related to safety flags for rental mopeds or motor scooters;
- (2) Inserting an effective date of July 1, 2021; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 615, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 615, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Kitagawa, Nakashima, Ilagan, and Matsumoto.

Managers on the part of the House.

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

Senators Lee, Baker, and Shimabukuro.

Managers on the part of the Senate.

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

Conf. Com. Rep. 68 on S.B. No. 244

The purpose of this measure is to:

- (1) Expand liability protections for donors to include donations of perishable or nonperishable food, farm produce, and similar donations made to needy persons by charitable, religious, or nonprofit organizations; and

(2) Authorize the donation of expired food when the good-faith donor or distributor reasonably believes the food is fit for human consumption.

Your Committee on Conference finds that coronavirus disease 2019 (COVID-19) pandemic has severely threatened the health, welfare, and food security of Hawaii residents. The COVID-19 pandemic has further increased the need to expand and clarify existing law to support food donation programs. Despite this high level of food insecurity, Hawaii businesses and residents discard excessive amounts of food waste in the State, which can overload landfills and create harmful greenhouse gases. Therefore, this measure establishes a standard of liability protection for food donations to encourage the donation of food, remove unnecessary barriers, and reduce food insecurity.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 244, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 244, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Kitagawa, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Keohokalole, and Baker.

Managers on the part of the Senate.

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

Conf. Com. Rep. 69 on S.B. No. 348

The purpose of this measure is to:

- (1) Update existing law to require bottled water to meet standards prescribed by the United States Food and Drug Administration regarding product quality standards for bottled water; and
- (2) Repeal the requirement that noncarbonated bottled water be transported, stored, processed, or bottled in or through lines or equipment through which only water is passed.

Your Committee on Conference finds that existing state law expressly prohibits carbonated soft drink, juice, and beer operations from using the same equipment to can noncarbonated bottled water. Hawaii bottled water manufacturers are required to comply with an outdated rule that results in unfair and costly limits for local beverage filling companies that manufacture other products from providing noncarbonated water to consumers in aluminum cans as an alternative to single-use plastic water bottles. Lifting this constraint would allow beverage companies in the State to expand their businesses by putting still water in aluminum cans thereby meeting the growing demand for water in sustainable packaging while continuing to invest in the local economy.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 348, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 348, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Johanson, Cullen, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Baker, and Nishihara.

Managers on the part of the Senate.

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

Conf. Com. Rep. 70 on S.B. No. 309

The purpose of this measure is to add the intentional creation, disclosure, or threat of disclosure of certain types of realistic deep fake images or videos to the offense of violation of privacy in the first degree, subject to specified exemptions.

Your Committee on Conference finds that one of the recommendations made by the Twenty-First Century Privacy Task Force was that the State protect the privacy of a person's likeness by adopting laws that prohibit the unauthorized use of deep fake technology, which is advancing rapidly and is easily sharable on social media. Your Committee on Conference further finds that deep fake technology enables the creation of synthetic media in which a person in an existing image or video is replaced with the likeness of another person. This measure will protect the privacy of a person's likeness by prohibiting the unauthorized use of deep fake technology.

Your Committee on Conference has amended this measure by:

- (1) Removing the requirement that the image or video of a composite fictitious person be realistic;
- (2) Removing the reasonable person standard for believing that a composite fictitious person is a known person;
- (3) Removing the exemption for images or videos made in connection with a matter of legitimate public concern, a work of political or newsworthy value, or expression protected by the First Amendment of the United States Constitution;
- (4) Making it effective upon its approval; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 309, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 309, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Nakashima, and Matsumoto.

Managers on the part of the House.

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

Conf. Com. Rep. 71 on S.B. No. 1034

The purpose of this measure is to:

- (1) Authorize boards to use interactive conference technology to remotely conduct meetings under the State's open meetings law; and
- (2) Amend the requirements for public notices of board meetings and for in-person board meetings held by interactive conference technology.

Your Committee on Conference finds that remote meetings can be a way to protect the health and safety of participants. Your Committee on Conference further finds that remote meetings have increased transparency by allowing more public members to participate in meetings, even if they live far from the physical location of a meeting or on another island.

Your Committee on Conference understands that the requirements of the Americans with Disabilities Act (ADA) apply to meetings held by interactive conference technology, and notes that any locations and technology used for remote meetings will need to be in compliance with the requirements of the ADA.

Your Committee on Conference has amended this measure by:

- (1) Requiring at least one meeting location that is open to the public and has an audiovisual connection for a remote meeting held by interactive conference technology;
- (2) Requiring a quorum of board members participating in a remote meeting held by interactive conference technology to be visible and audible to other members and the public during the meeting;
- (3) Requiring all votes during a remote meeting held by interactive conference technology to be conducted by roll call unless unanimous;
- (4) Changing the duration of the automatic recess of a meeting in case audiovisual communication cannot be maintained to a maximum of thirty minutes;
- (5) Requiring the Office of Information Practices to assess the implementation of meetings held using interactive conference technology and submit a report of its findings to the Legislature;
- (6) Inserting an effective date of January 1, 2022; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1034, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1034, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ichiyama, Nakashima, Eli, and Ward.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.
Senators Rhoads, Keohokalole, and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 72 on S.B. No. 726

The purpose of this measure is to:

- (1) Require officers serving a warrant to declare the officer's office and business and wait thirty seconds before entry into a house, store, or other building, subject to certain circumstances; and
- (2) Require officers serving a warrant issued by a district court to do so in an authorized uniform and wear and use a body-worn video camera.

Your Committee on Conference finds that, although a general knock-and-announce rule exists, if the police believe in advance of executing a search warrant that the threat of physical violence or the destruction of evidence exists, the police may obtain a "no-knock warrant" to allow the police to enter with force into the building without knocking. These raids have led to injury, death, and substantial collateral damage, and feed into the growing sense of community distrust of police. This measure prohibits no-knock warrants.

Your Committee on Conference has amended this measure by:

- (1) Removing language providing that an officer serving a warrant may enter a house, store, or other building before the thirty-second wait period has expired under exigent circumstances;
- (2) Providing that the thirty-second wait period commences at the moment the announcement of presence is made by the officer; and
- (3) Making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 726, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 726, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Conf. Com. Rep. 73 on S.B. No. 639

The purpose of this measure is to:

- (1) Prohibit courts of appeal from affirming, modifying, reversing, or vacating a matter on grounds other than those raised by the parties to the proceeding, unless the parties are provided the opportunity to brief the court; and
- (2) Require a rehearing if the courts fail to afford the opportunity for parties to submit supplemental briefing upon timely petition by any party.

Your Committee on Conference finds that when a court decides a case on grounds not raised by the parties, it departs from the principle of party presentation and risks abusing its discretion. Your Committee on Conference further finds that on multiple occasions, the Hawaii Supreme Court has reiterated a party's right to discuss and explore its rights, claims, and defenses through a colloquy. This measure will ensure due process during the appeals process and permit parties, rather than the appellate court, to litigate their cases.

Your Committee on Conference has amended this measure by inserting an effective date of September 1, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 639, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 639, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Matayoshi, Todd, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Keohokalole, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 74 on S.B. No. 819

The purpose of this measure is to:

- (1) Extend the Hospital Sustainability Program through June 30, 2024;
- (2) Increase the maximum fee for inpatient care services to five and one-half percent;
- (3) Reduce the amount in the hospital sustainability program special fund that may be used by the Department of Human Services for departmental purposes from twelve percent to ten percent;
- (4) Increase the amount of time hospitals have to pay the hospital sustainability fee from thirty days to sixty days;
- (5) Increase the pool of Medicaid services that can be used for matching purposes;
- (6) Require that the aggregate net benefit for private hospitals shall not be less than the aggregate net benefit provided by the Hospital Sustainability Program for fiscal year 2021;
- (7) Define "net benefit" for purposes of the Hospital Sustainability Program; and
- (8) Appropriate an unspecified amount of monies out of the hospital sustainability program special fund for the purposes of the program.

Your Committee on Conference finds that the program has served a critical role in strengthening the health care system in Hawaii. In the nine years since its inception, the Hospital Sustainability Program has helped acute care facilities treat the most vulnerable patients in the State, especially Medicaid recipients who require hospital services. Your Conference on Committee also believes that continuing the Hospital Sustainability Program will ensure that the State's uninsured or underinsured patients continue to receive care in a timely, effective manner.

Your Committee on Conference has amended this measure by:

- (1) Deleting the definition of "net benefit";
- (2) Deleting language that would have increased the pool of Medicaid services that may have been used for matching purposes;
- (3) Deleting language that would have required that the aggregate net benefit for private hospitals shall not be less than the aggregate net benefit provided by the hospital sustainability program for fiscal year 2021;
- (4) Inserting an appropriation of \$100,000,000 out of the hospital sustainability program special fund for fiscal year 2021-2022 for purposes of the program;
- (5) Making it effective on June 29, 2021; provided that certain provisions relating to the extension of the Hospital Sustainability Program and appropriation take effect on July 1, 2021; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 819, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 819, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Johanson, Tam, Gates, and Ward.

Managers on the part of the House.

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

Senators San Buenaventura, Keohokalole, and Kidani.

Managers on the part of the Senate.

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

Conf. Com. Rep. 75 on S.B. No. 793

The purpose of this measure is to repeal existing law that exempts individuals with disabilities from the State's minimum wage requirements. More specifically, this measure:

- (1) Amends the definition of "qualified community rehabilitation program" in the Hawaii Public Procurement Code by:
 - (A) Repealing certain certification requirements; and
 - (B) Requiring that the program maintain a certain disabled-to-non-disabled employee ratio; and
- (2) Repeals the provision in the State's Wage and Hour Law that allows employment of certain individuals, including individuals with disabilities, at sub-minimum wage.

Your Committee on Conference finds that laws that allow payment of sub-minimum wage based on an individual's disability status are based on a provision in the Fair Labor Standards Act that was enacted in 1938 to create a platform to train and prepare individuals with disabilities to gain open-market competitive jobs. Your Committee on Conference further finds that these laws are archaic and no longer serve their original purpose. The employers in the State who currently hold certificates that allow for payment of sub-minimum wage to individuals with disabilities are currently paying them statutory minimum wage, and the only reason the employers obtain the certificates is to meet the definition of "qualified community rehabilitation program" under the Hawaii Public Procurement Code. This measure repeals outdated laws that allow payment of sub-minimum wage to individuals with disabilities and replaces the qualified community rehabilitation program's special certificates requirement with an employee-ratio requirement.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 793, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 793, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Onishi, Sayama, and Okimoto.

Managers on the part of the House.

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

Senators Taniguchi, Acasio, Moriwaki, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 76 on H.B. No. 631

The purpose of this measure is to accommodate within the justice system certain traffic violators who are facing financial hardship.

More specifically, this measure:

- (1) Provides courts with greater discretion to adjust the payment of fees or fines for violations of certain traffic offenses based on a person's ability to pay or financial circumstances;
- (2) Amends the ratio of imprisonment term to contumacious nonpayment, from a maximum of one day for each \$25 of a fee or fine, to a maximum of one day for each \$250 of a fee or fine; and
- (3) Increases the amount of credit given to a person committed for contumacious nonpayment, from \$25 per day to \$250 per day.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 631, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 631, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Yamashita, D. Kobayashi, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 77 on H.B. No. 1377

The purpose of this measure is to:

- (1) Establish an Electronic Citation Program under the Judiciary for transmitting traffic, misdemeanor, or other citations and law enforcement data to the clerk of the court through electronic means;
- (2) Establish an Electronic Citation Surcharge of \$5 to be charged to persons who receive certain traffic, misdemeanor, or other citations;
- (3) Establish an Electronic Citation Special Fund to defray expenses related to the establishment and maintenance of the Electronic Citation Program; and
- (4) Appropriate funds to the Judiciary for start-up costs associated with the Electronic Citation Program.

Your Committee on Conference has amended this measure by:

- (1) Providing that the Electronic Citation Surcharge of \$5 will become inoperative on January 1, 2027;
- (2) Clarifying that the monies in the Electronic Citation Special Fund are to be distributed by the Judiciary to the respective law enforcement agencies and the Administrative Director of the Courts, not the clerk of the court;
- (3) Deleting the appropriation to the Judiciary for start-up costs associated with the Electronic Citation Program;
- (4) Changing the effective date to January 1, 2022; and

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1377, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1377, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Yamashita, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 78 on H.B. No. 1333

The purpose of this measure is to require and appropriate funds for the Hawaii State Energy Office, in consultation with the Department of Health, to conduct a comprehensive study to determine best practices for disposal and recycling of discarded clean energy products in the State.

Your Committee on Conference has amended this measure by:

- (1) Specifying that the Hawaii Natural Energy Institute, rather than the Hawaii State Energy Office, shall conduct a comprehensive study to determine best practices for disposal, recycling, or secondary use of clean energy products in the State;
- (2) Deleting language that would have appropriated funds to conduct the comprehensive study;
- (3) Changing the effective date to July 1, 2021; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1333, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1333, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Marten, and Matsumoto.

Managers on the part of the House.

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

Senators Wakai, English, and Misalucha.

Managers on the part of the Senate.

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

Conf. Com. Rep. 79 on H.B. No. 1318

The purpose of this measure is to:

- (1) Establish the Environmental Advisory Council within the Office of Planning to replace the existing Environmental Council;
- (2) Transfer the rights, powers, employees, appropriations, and other personal property from the Office of Environmental Quality Control to the Office of Planning;
- (3) Amend the ability for an applicant to appeal nonacceptance of an environmental impact statement from the Environmental Council to the Environmental Court; and
- (4) Repeal certain provisions relating to the Office of Environmental Quality Control and Environmental Center of the University of Hawaii.

Your Committee on Conference has amended this measure by:

- (1) Deleting provisions that would have required the Environmental Advisory Council to be an adjudged party for hearing appeals relating to the acceptance or nonacceptance of an environmental impact statement;
- (2) Clarifying that the current members of the Environmental Council shall continue to serve for the remainder of their respective terms as initial members of the Environmental Advisory Council;
- (3) Changing the effective date to July 1, 2021; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1318, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1318, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Luke, Tokioka, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Inouye, Moriwaki, Rhoads, and Kanuha.

Managers on the part of the Senate.

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

Conf. Com. Rep. 80 on H.B. No. 1022

The purpose of this measure is to:

- (1) Clarify that any conservation and resources enforcement officer of the Department of Land and Natural Resources may, in the performance of their official duties, stop and temporarily detain any person who the officer reasonably believes is, or recently has been engaged in, hunting or fishing for a natural resource for the purposes of the officer conducting a limited inspection; and
- (2) Establish administrative penalties for refusing to comply with an inspection request, under certain conditions.

Your Committee on Conference has amended this measure by:

- (1) Clarifying provisions to prohibit roaming administrative inspections of any member of the public's vehicle beyond a reasonable distance and clarifying the circumstances under which those inspections are allowed;
- (2) Deleting language that would have provided that items, natural resources, or other evidence obtained through an administrative inspection without probable cause may be used to pursue any civil and administrative penalties that are authorized by law;
- (3) Deleting provisions that specified that the administrative fines shall not apply to persons engaged in the proper and lawful exercise of traditional and customary Native Hawaiian rights for subsistence, religious, or cultural purposes;
- (4) Changing the effective date to upon its approval; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1022, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1022, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Nakashima, Marten, and Matsumoto.

Managers on the part of the House.

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

Senators Inouye, Kanuha, Rhoads, and Fevella.

Managers on the part of the Senate.

Ayes, 2. Noes, 1 (Fevella). Excused, 1 (Rhoads).

Conf. Com. Rep. 81 on S.B. No. 1100

The purpose of this measure is to enact the National Association of Insurance Commissioners' Insurance Data Security Model Law to establish insurance data security standards for Hawaii insurance licensees.

Your Committee on Conference finds that there have been several major data breaches involving large insurers that exposed and compromised the sensitive personal information of millions of insurance consumers. The National Association of Insurance Commissioners adopted the Insurance Data Security Model Law in 2017 to strengthen existing data privacy standards and consumer breach notification obligations of insurance licensees. If states do not adopt provisions of this model law by 2022, they risk federal preemption of state laws in this area. Accordingly, this measure adopts the National Association of Insurance Commissioners' Insurance Data Security Model Law to establish insurance data security standards and ensure data security protections for Hawaii insurance licensees.

Your Committee on Conference has amended this measure by:

- (1) Inserting a definition for the term "commissioner" to mean the Insurance Commissioner of the State;
- (2) Reverting to certain provisions of the S.D. 1 version of this measure to clarify that:
 - (A) The licensee's regulator, rather than the licensee's domiciliary regulator, shall have the power to examine and investigate the affairs of any licensee to determine whether the licensee has been or is engaged in certain conduct; and
 - (B) Each insurer, rather than each licensee, domiciled in the State shall submit annual certifications to the Insurance Commissioner;
- (3) Updating the purpose section; and
- (4) Inserting an effective date of July 1, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1100, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1100, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Matayoshi, Nishimoto, and Matsumoto.

Managers on the part of the House.

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

Senators Baker, Chang, and Riviere.

Managers on the part of the Senate.

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

Conf. Com. Rep. 82 on S.B. No. 1098

The purpose of this measure is to adopt certain provisions of the National Association of Insurance Commissioners' Producer Licensing Model Act, Public Adjuster Licensing Model Act, Reinsurance Intermediary Model Act, and Independent Adjuster Licensing Model Guidelines to provide consistency and promote efficiency in processing insurance licensing fees, applications, certificates, registrations, and renewals.

Your Committee on Conference finds that existing state law does not list all of the licenses, registrations, and fees issued by the Insurance Division of the Department of Commerce and Consumer Affairs, which can create confusion. This measure consolidates those licenses, registrations, and fees under Article 7 of the Insurance Code to increase clarity and transparency. Your Committee on Conference further finds that this measure facilitates the Insurance Division's transition to the electronic processing of insurance licensing fees, certificates, registrations, and renewals to make the process more efficient and accurate and conforms certain penalties to model acts.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1098, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1098, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Nishimoto, and Matsumoto.

Managers on the part of the House.

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

Senators Baker, Chang, and Misalucha.

Managers on the part of the Senate.

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

Conf. Com. Rep. 83 on S.B. No. 1103

The purpose of this measure is to clarify the role of the Board of Public Accountancy in selecting members to serve on the Board's Peer Review Oversight Committee.

Your Committee on Conference finds that the accounting profession's standards of review can change frequently. As a result of these changes, the duties of the Board of Public Accountancy's Peer Review Oversight Committee are expected to increase substantially. Your Committee on Conference further finds that it is necessary for the Board to have flexibility and discretion in selecting members who have the ability and aptitude to serve on the Peer Review Oversight Committee. This measure accomplishes these objectives.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1103, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1103, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Nishimoto, and Matsumoto.

Managers on the part of the House.

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

Senators Baker, Chang, and Misalucha.

Managers on the part of the Senate.

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

Conf. Com. Rep. 84 on S.B. No. 1102

The purpose of this measure is to allow promoters of mixed martial arts events to compensate contestants and their managers in cash.

Your Committee on Conference finds that existing law requires that promoters of mixed martial arts events pay contestants or their managers by check. However, many events undergo last minute changes to the fight card for various reasons. For example, a contestant could fail to make weight, which occurs the day before a contest, or could be injured. When a change occurs at the last minute, promoters often have insufficient time to go to a financial institution to obtain a new cashier's check or certified check, as most events take place on Saturdays when financial institutions are normally closed. This measure provides promoters with the necessary flexibility to compensate contestants and their managers in a timely manner and better mirrors the realities of the event process.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1102, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1102, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Nishimoto, and Matsumoto.

Managers on the part of the House.

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

Senators Baker, Chang, and Riviere.

Managers on the part of the Senate.

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

Conf. Com. Rep. 85 on S.B. No. 1096

The purpose of this measure is to make necessary amendments to the Insurance Code to:

- (1) Institute various consumer protections with regard to public adjusters, including requiring contractual terms and disclosures and granting a right to rescind;
- (2) Impose a standard of conduct on various entities;
- (3) Authorize the Insurance Commissioner to waive or modify certain fees by order;
- (4) Reinstate the right to an administrative hearing and appeal from an order;
- (5) Amend the composition of the Hawaii Joint Underwriting Plan Board of Governors;
- (6) Correct references to the electronic payment platform developed by the National Association of Insurance Commissioners to facilitate insurers' electronic payment of premium taxes;
- (7) Mandate electronic filing of insurers' surplus lines reports and payment of surplus lines premium taxes to reduce processing errors and delays;

- (8) Change the specified dates for extensions of certificates for risk retention groups to maintain consistency with other certificates issued by the Insurance Division of the Department of Commerce and Consumer Affairs;
- (9) Lower the minimum nonforfeiture interest rate; and
- (10) Clarify that rewards under wellness programs do not qualify as prohibited rebates.

Your Committee on Conference finds that a number of administrative amendments to Hawaii's insurance code are necessary to provide clarity, enhance consumer protections, and improve the administration and enforcement of regulated entities. Your Conference on Committee further finds that this measure will accomplish these objectives.

Your Committee on Conference has amended this measure by:

- (1) Reverting to the existing statutory language for the definition of the term "complaint" to apply to the entirety of section 431:13-103, Hawaii Revised Statutes, rather than only paragraph (12) of subsection (a); and
- (2) Making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1096, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1096, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Nishimoto, and Matsumoto.

Managers on the part of the House.

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

Senators Baker, Chang, Riviere, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 86 on S.B. No. 320

The purpose of this measure is to:

- (1) Require each tax return preparer to have a valid Preparer Tax Identification Number issued by the Internal Revenue Service and to furnish the Preparer's Tax Identification Number on any return or claim for refund prepared for compensation if required by the Department of Taxation;
- (2) Establish penalties for failure to comply with the Preparer Tax Identification Number requirements;
- (3) Beginning in calendar year 2022, establish continuing education requirements for tax return preparers;
- (4) Require the Board of Public Accountancy to adopt rules regarding continuing education, including compliance procedures and penalties for violations; and
- (5) Provide that tax return preparers shall not be liable for penalties prior to January 1, 2022.

Your Committee on Conference finds that many tax preparers in the State operate with little oversight or accountability. Your Committee on Conference further finds that requiring all tax return preparers to have a Preparer Tax Identification Number issued by the Internal Revenue Service to prepare a claim for refund or return for compensation will help taxpayers and the Department of Taxation ensure that tax return preparers are held accountable for the returns they prepare. This measure will provide greater consumer protection resources and promote accurate tax administration.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have established continuing education requirements for tax return preparers and language that would have required the Board of Public Accountancy to adopt continuing education courses for tax return preparers;
- (2) Deleting language that would have exempted tax return preparers from penalties prior to January 1, 2022, in light of the change to the effective date;
- (3) Inserting an effective date of January 1, 2022; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 320, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 320, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Nishimoto, and Matsumoto.

Managers on the part of the House.

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

Senators Baker, Kim, and Moriwaki.

Managers on the part of the Senate.

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

Conf. Com. Rep. 87 on S.B. No. 589

The purpose of this measure is to:

- (1) Establish the University of Hawaii Cancer Center in statute as the Cancer Research Center of Hawaii;
- (2) Require the Director of the Cancer Research Center of Hawaii to be appointed by the Board of Regents of the University of Hawaii upon recommendation from the Provost of the University of Hawaii at Manoa and with the concurrence of the President of the University of Hawaii;
- (3) Require the Director of the Cancer Research Center of Hawaii and Dean of the University of Hawaii John A. Burns School of Medicine to report to the Provost of the University of Hawaii at Manoa and coordinate with the President of the University of Hawaii;

- (4) Require funds expended or originating from the University of Hawaii Tuition and Fees Special Fund for the University of Hawaii John A. Burns School of Medicine or the Cancer Research Center of Hawaii to be used for educational purposes only;
- (5) Require funds expended or originating from the Research and Training Revolving Fund for the University of Hawaii John A. Burns School of Medicine or the Cancer Research Center of Hawaii to be used for research and research-related purposes only;
- (6) Allow the University of Hawaii to continue its contribution to research commercialization and economic development by repealing the sunset provision in Act 38, Session Laws of Hawaii 2017 (Act 38);
- (7) Make the University of Hawaii's Innovation and Commercialization Initiative Program permanent by repealing the sunset provision in Act 39, Session Laws of Hawaii 2017 (Act 39);
- (8) Make permanent the authority of the President of the University of Hawaii to act as its chief procurement officer for all procurement contracts under chapter 103D, Hawaii Revised Statutes, by repealing the sunset provision in Act 42, Session Laws of Hawaii 2018 (Act 42); and
- (9) Further efforts to ensure the efficient and effective management of public resources provided to the University of Hawaii John A. Burns School of Medicine and the Cancer Research Center of Hawaii to optimize public benefits.

Your Committee on Conference notes that the University of Hawaii had been proposing the consolidation of the University of Hawaii Cancer Center and University of Hawaii John A. Burns School of Medicine through various business plans, reports, and consultant recommendations since 2014, in order to eliminate operational redundancies and enhance the efficiency and effectiveness of both units. Your Committee on Conference also notes that the University of Hawaii frequently groups different organized research units within a larger administrative structure. For example, the School of Ocean and Earth Science and Technology encompasses several outstanding research units, including the Center for Microbial Oceanography: Research and Education. Furthermore, several other universities with outstanding medical schools have their cancer research programs integrated closely therewith. For example, the Siteman Cancer Center, a comprehensive cancer center that holds an "exceptional" rating from the National Cancer Institute, is a part of the Washington University School of Medicine in St. Louis. The MD Anderson Cancer Center is also a comprehensive cancer center that operates in close affiliation with the McGovern Medical School at the University of Texas Health Science Center. As such, to ensure the efficient and effective management of public resources provided to the Cancer Research Center of Hawaii and University of Hawaii John A. Burns School of Medicine, your Committee on Conference finds it necessary to administratively affiliate the two entities and have their administrative services and infrastructure teams be merged.

Your Committee on Conference further finds it important for the State to continue its support of the University of Hawaii's technology transfer activities pursuant to Act 38 and activities under its Innovation and Commercialization Initiative Program pursuant to Act 39. Your Committee on Conference also finds that these activities must be transparent, and the University of Hawaii must be held accountable therefor. Your Committee on Conference also finds it prudent for the Legislature to continue monitoring the University of Hawaii's activities pursuant to Act 38, Act 39, and Act 42.

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

- (1) Inserting language requiring the Cancer Research Center of Hawaii and the University of Hawaii John A. Burns School of Medicine to be administratively affiliated;
- (2) Inserting language to promote the accountability and transparency of the University of Hawaii's technology transfer activities pursuant to Act 38 and activities under its Innovation and Commercialization Initiative Program pursuant to Act 39;
- (3) Extending the repeal date of Act 38 for two years until June 30, 2024;
- (4) Extending the repeal date of Act 39 for three years until June 30, 2024;
- (5) Extending the repeal date of Act 42 for three years until June 30, 2024;
- (6) Making it effective upon its approval; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 589, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 589, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Takayama, Tam, DeCoite, and Okimoto.

Managers on the part of the House.

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

Senators Kim, Moriwaki, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 88 on S.B. No. 60

The purpose of this measure is to authorize the issuance of special number license plates to commemorate the Polynesian Voyaging Society.

Your Committee on Conference finds that the issuance of special number plates commemorating the Polynesian Voyaging Society is an effective way to support the Polynesian Voyaging Society's efforts to perpetuate the art and science of traditional Polynesian voyaging and the spirit of exploration.

Your Committee on Conference has amended this measure by inserting an effective date of July 1, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 60, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 60, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Gates, B. Kobayashi, and Ward.

Managers on the part of the House.

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

Senators Lee, Inouye, and Shimabukuro.

Managers on the part of the Senate.

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

Conf. Com. Rep. 89 on S.B. No. 57

The purpose of this measure is to:

- (1) Codify certain certification, renewal, and violation processes of vehicle inspectors who conduct vehicle safety inspections under the Department of Transportation;
- (2) Temporarily repeal the requirement for reconstructed vehicles to obtain a special inspection and certification; and
- (3) Require the Department of Transportation to report to the Legislature on the effects of the repeal.

Your Committee on Conference finds that vehicle inspectors serve the important function of ensuring the safety of vehicles on Hawaii's roads. This measure codifies the process by which vehicle inspectors obtain and renew their certification and the penalties for improper inspections.

Your Committee on Conference further finds that the reconstructed vehicle inspection program no longer serves its intended purposes. The purpose of the reconstructed vehicle inspection program is to ensure that modifications to motor vehicles do not result in a significant degradation of highway safety. However, available crash data does not indicate that reconstructed vehicles are more dangerous than other vehicles. As this program is restricted to Oahu and there is no data to support the conclusion that it is effective, this measure temporarily repeals the requirement that reconstructed vehicles be inspected and receive a permit before operating on public highways and requires the Department of Transportation to report back to the Legislature on the effects of the repeal.

Your Committee on Conference has amended this measure by:

- (1) Making the repeal of the reconstructed vehicle inspection program effective from January 1, 2022 to July 31, 2025;
- (2) Inserting an effective date of July 1, 2021; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 57, S.D. 2, H.D. 3, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 57, S.D. 2, H.D. 3, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Johanson, Cullen, Ilagan, and Matsumoto.

Managers on the part of the House.

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

Senators Lee, Baker, English, Shimabukuro, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 90 on S.B. No. 1039

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

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

Your Committee on Conference has amended this measure by:

- (1) Providing that the claims against the Agribusiness Development Corporation, Aloha Stadium Authority, Department of the Attorney General, Department of Education, Department of Hawaiian Home Lands, Department of Health, Department of Land and Natural Resources, Department of Public Safety, and Hawaii State Public Charter School Commission shall be paid from general funds;
- (2) Increasing the total general fund appropriation from \$1,263,213.02 to \$1,330,163.78 to settle three additional miscellaneous claims totaling \$66,950.76;
- (3) Making it effective upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1039, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1039, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Luke, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 91 on S.B. No. 538

The purpose of this measure is to:

- (1) Clarify the meaning of "program or activity receiving state financial assistance"; and
- (2) Exclude cases within the scope of the Individuals with Disabilities Education Act from the jurisdiction of the Hawaii Civil Rights Commission.

Your Committee on Conference finds that when Act 387, Session Laws of Hawaii 1989, was enacted and codified as section 368-1.5, Hawaii Revised Statutes, it was meant to be the state counterpart to section 504 of the federal Rehabilitation Act of 1973, as amended, to provide a state remedy for disability discrimination and an alternative in situations in which federal remedies are also available. Your Committee on Conference further finds that the intent of section 368-1.5, Hawaii Revised Statutes, was originally, and is now, to give the Hawaii Civil Rights Commission jurisdiction over disability discrimination claims, even if protections under section 504 of the Rehabilitation Act, as amended, are available.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 538, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 538, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Onishi, Nakashima, Sayama, and Okimoto.

Managers on the part of the House.

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

Senators San Buenaventura, Rhoads, and Acasio.

Managers on the part of the Senate.

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

Conf. Com. Rep. 92 on S.B. No. 386

The purpose of this measure is to require:

- (1) A family court to make findings, after a hearing and in writing, before a minor can be transferred to an adult jail or lockup or be permitted sight or sound contact with adult offenders, subject to certain circumstances; and
- (2) The circuit court to commit all convicted offenders under eighteen to Hawaii youth correctional facilities in cases where the court deems the sentence more suitable.

Your Committee on Conference finds that when a youth is transferred to the adult criminal justice system, the lifelong consequences of placement in the criminal justice system has a profoundly negative effect on both the youth and our community. Your Committee on Conference further finds that full brain development and maturity is proven to extend beyond teen years, and studies have shown that young adults reach full maturity past the age of twenty-five years. Due to these developmental facts, your Committee on Conference additionally finds that adult facilities do not provide the developmentally appropriate rehabilitative services youth require.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 386, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 386, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Ohno, Matayoshi, Tam, Ganaden, and Ward.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 2 (Ohno, Ward).

Senators San Buenaventura, Rhoads, and Acasio.

Managers on the part of the Senate.

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

Conf. Com. Rep. 93 on S.B. No. 225

The purpose of this measure is to:

- (1) Allow the cost of regional infrastructure improvements undertaken by the Hawaii Housing Finance and Development Corporation to be assessed against transit-oriented development projects that specially benefit from the improvements; and
- (2) Require the Hawaii Interagency Council for Transit-Oriented Development to review and make recommendations on applications for dwelling unit revolving fund subaccount funds for infrastructure projects related to transit-oriented development.

Your Committee on Conference finds that the cost of off-site infrastructure is a major barrier to the achievement of transit-oriented development potential statewide. Your Committee on Conference believes that this measure will help to facilitate state investment in needed transit-oriented development infrastructure by allowing the Hawaii Housing Finance and Development Corporation to recover costs to help offset the significant costs of regional infrastructure.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the Hawaii Housing Finance and Development Corporation shall consider previous contributions by project owners to infrastructure improvements when assessing costs against transit-oriented development projects;
- (2) Exempting the stadium development district from assessments made under this measure;
- (3) Changing the effective date to upon its approval; and
- (4) Making technical, nonsubstantive amendments for purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 225, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 225, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakamura, Aquino, Tarnas, Sayama, Hashimoto, and McDermott.

Managers on the part of the House.

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

Senators Wakai, Keith-Agaran, and Misalucha.

Managers on the part of the Senate.

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

Conf. Com. Rep. 94 on S.B. No. 159

The purpose of this measure is to:

- (1) Make an application for voter registration part of the state identification card or driver's license application process;
- (2) Require applicants to choose to be registered to vote or make changes to the applicant's voter registration information as part of the application for a state identification card or driver's license; and
- (3) Require the sharing of certain information among the counties, Department of Transportation, election personnel, and online voter registration system.

Your Committee on Conference finds that increased voter engagement and participation is beneficial to the civic health of the State, and that increased voter registration is a vital step in this process. Your Committee on Conference further finds that the electronic sharing of data will help ensure the accuracy of voter-registration polls and compliance with the National Voter Registration Act of 1993 and Help America Vote Act of 2002.

Your Committee on Conference has amended this measure by:

- (1) Providing for an applicant for a driver's license or identification card to have automatically updated any changes to their name and address for voter registration purposes unless the applicant declines;
- (2) Inserting an effective date of July 1, 2021; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 159, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 159, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Cullen, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Lee, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 95 on S.B. No. 630

The purpose of this measure is to establish that every judgment for child support is enforceable until paid in full.

Your Committee on Conference finds that the costs associated with raising a child are extensive and persist for many years.

Your Committee on Conference further finds that, under existing law, child support judgments are considered paid and discharged when the child turns thirty-three years old or when the latest period provided in section 657-5, Hawaii Revised Statutes, expires, whichever is later. This measure will require that child support be paid in full to be considered discharged.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 630, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 630, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Eli, LoPresti, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Kim, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 96 on S.B. No. 828

The purpose of this measure is to:

- (1) Grant exclusive original jurisdiction in matters of divorce to the family court of the circuit in which an applicant is domiciled at the time the application is filed; and
- (2) Repeal the requirement that a person be domiciled or physically present in the State for a continuous period of at least six months before applying for a divorce.

Your Committee on Conference finds that existing law often places unnecessary burdens on persons seeking divorce. This measure clarifies the jurisdiction of the family court and enables individuals to complete a divorce in the State even if they are unable to be physically present in the State for a continuous period of time before filing.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 828, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 828, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ichiyama, Cullen, Takumi, and Ward.

Managers on the part of the House.

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

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

Conf. Com. Rep. 97 on S.B. No. 697

The purpose of this measure is to designate January of each year as "Kalaupapa Month".

Your Committee on Conference finds that in 1865, the Kingdom of Hawaii passed "An Act to Prevent the Spread of Leprosy" and, over time, forcibly removed an estimated eight thousand individuals suspected of having leprosy to a colony established on eight hundred acres of land on the Kalaupapa peninsula of Moloka'i. Your Committee on Conference further finds that many important events in the history of Kalaupapa occurred in January. This measure recognizes the contributions and sacrifices of the residents of Kalaupapa by establishing January of each year as "Kalaupapa Month".

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 697, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 697, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Gates, Matayoshi, B. Kobayashi, Tokioka, and Ward.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

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

Conf. Com. Rep. 98 on S.B. No. 791

The purpose and intent of this measure is to amend provisions regarding the designation, impoundment, and disposal of unauthorized, abandoned, grounded, and derelict vessels on state property or in the waters of the State to more quickly address these vessels and relevant proceedings.

Your Committee on Conference finds that existing law requires the Department of Land and Natural Resources (DLNR) to provide a seventy-two-hour notice of intent to impound an unauthorized, abandoned, grounded, or derelict vessel before being able to take control of the vessel. However, in some instances, the condition of the vessel rapidly deteriorates, requiring additional labor, increased risks to health and public safety, and additional costs to remove and impound the vessel. This measure shortens the time-period for the DLNR to respond and remove abandoned vessels to help protect reefs and maintain ocean health.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 791, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 791, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 99 on S.B. No. 1162

The purpose of this measure is to update the Forest Stewardship Program (Program) administered by the Board of Land and Natural Resources by:

- (1) Clarifying the purpose of the Program;
- (2) Expanding the areas of approved management activities and practices that are eligible for cost-share assistance under the Program;
- (3) Increasing the limit for payments from the Forest Stewardship Fund (Fund) for development of approved management plans and allowing payments from the Fund for implementation of approved management plans; and
- (4) Amending requirements for applicants to receive Program funds.

Your Committee on Conference finds that over sixty percent of Hawaii's forested areas are privately owned and managed. The Program provides technical and financial assistance to private landowners in protecting, restoring, and managing Hawaii's forested lands, which in turn helps protect watersheds, forest resources, forest products, fish and wildlife habitats, rare and endangered plants, and native vegetation. This measure modifies the Program's qualification requirements to increase eligibility for private forest managers, increases funds available for the management of private forests, and provides protections for native vegetation.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1162, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1162, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Senators Inouye, English, and Keith-Agaran.

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

Conf. Com. Rep. 100 on S.B. No. 932

The purpose of this measure is to:

- (1) Establish and appropriate funds out of the clean energy and energy efficiency revolving loan fund to provide financial assistance for investments in a broad range of clean energy technologies;
- (2) Authorize monies in the Hawaii green infrastructure special fund to be used to finance the option to purchase solar energy systems and other clean energy equipment, including the purchase or lease of electric vehicles and installation of electric vehicle charging systems; and
- (3) Repeal the building energy efficiency revolving loan fund.

Your Committee on Conference finds that significant investment in clean energy technology and infrastructure is necessary to achieve the State's goals of energy self-sufficiency, energy security, and energy diversification. However, the unavailability of flexible financing and low-cost capital are significant barriers to clean energy adoption. Your Committee on Conference believes that this measure will provide the Hawaii green infrastructure authority with a variety of financing options to support investment in and implementation of clean energy technology and infrastructure in the State.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the Hawaii green infrastructure's existing loan fund is capitalized by the issuance of the green energy market securitization bonds to distinguish it from the clean energy and energy efficiency revolving fund established by this measure, which is capitalized with federal and other funding sources;
- (2) Inserting an appropriation in the amount of \$50,000,000 out of the clean energy and energy efficiency revolving loan fund for the purposes of this measure;
- (3) Changing the effective date to July 1, 2021; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 932, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 932, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Johanson, Marten, and Matsumoto.

Managers on the part of the House.

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

Senators Wakai, Rhoads, Kidani, Misalucha, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 101 on S.B. No. 936

The purpose of this measure is to require:

- (1) The Department of Health to disseminate information regarding seizure first aid to employers, employees, and the general public;
- (2) Employers to post information on seizure first aid provided by the Department of Health in a prominent position in the employer's workplace; and
- (3) The Department of Health to adopt rules to implement this measure.

Your Committee on Conference finds that one in ten persons may experience a seizure at some point in their lifetime. Since a seizure can happen to any person, in any place, at any time, your Committee on Conference finds it imperative that members of the public are prepared to respond appropriately and effectively to a person experiencing a seizure. This measure ensures that information on rendering seizure first aid is provided to employers, employees, and the general public.

Your Committee on Conference notes the concerns raised by the Department of Health with regard to the implementation of this measure.

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

- (1) Making discretionary, rather than mandatory, the dissemination of information on seizure first aid by the Department of Health;
- (2) Making discretionary, rather than mandatory, the employers' dissemination of information on seizure first aid provided by the Department of Health;
- (3) Deleting the requirement that the Department of Health adopt rules to implement this measure;
- (4) Inserting an effective date of July 1, 2021, and a repeal date of June 30, 2026; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 936, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 936, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Onishi, Johanson, Sayama, Kong, and Okimoto.

Managers on the part of the House.

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

Senators Taniguchi, Rhoads, and Keohokalole.

Managers on the part of the Senate.

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

Conf. Com. Rep. 102 on S.B. No. 772

The purpose of this measure is to:

- (1) Authorize the issuance of special number license plates to benefit forest and ocean conservation; and
- (2) Increase the initial application and renewal fees for special number license plates from \$25 to an unspecified amount.

Your Committee on Conference finds that Hawaii's forests, beaches, and nearshore waters are culturally and naturally unique and vital to maintaining the health and well-being of Hawaii's residents. Providing dedicated funding sources for conservation through the issuance of special number license plates will help to ensure that Hawaii's forests, beaches, and nearshore waters are adequately managed and maintained. Your Committee on Conference notes that the islands of Hawaii are home to many unique ecosystems beyond just beaches and forests and find it appropriate to dedicate funding from the issuance of special number plates to environmental conservation generally instead of specifically to forest and ocean conservation.

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

- (1) Replacing "forest conservation" and "ocean conservation" with "environmental conservation" throughout the measure;
- (2) Specifying that the special number plate design shall be visually attractive and highlight Hawaii's environment, native species, or both;
- (3) Providing that the fundraising fee is to be set by the Department of Land and Natural Resources;
- (4) Depositing fees from the issuance of the special number plates into the conservation and resources enforcement special fund, rather than the beach restoration special fund and the forest stewardship special fund;
- (5) Setting the initial application and subsequent annual renewal fees for special number plates at \$60, beginning January 1, 2022;
- (6) Making it effective upon its approval; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 772, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 772, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Branco, Ganaden, and McDermott.

Managers on the part of the House.

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

Senators Lee, Inouye, and Kanuha.

Managers on the part of the Senate.

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

Conf. Com. Rep. 103 on S.B. No. 384

The purpose of this measure is to clarify that:

- (1) Filing fees for tax appeals are nonrefundable; and
- (2) No deposits are required for tax appeals.

Your Committee on Conference finds that this measure is a housekeeping measure, which amends certain sections of Hawaii Revised Statutes to align with the intent of Act 152, Session Laws of Hawaii 1997, by adopting existing rules regarding court filing fees.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 384, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 384, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Matayoshi, Marten, D. Kobayashi, and Ward.

Managers on the part of the House.

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

Senators Keith-Agaran, English, and Taniguchi.

Managers on the part of the Senate.

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

Conf. Com. Rep. 104 on S.B. No. 1202

The purpose of this measure is to make various technical amendments to the fuel tax law, liquor tax law, and cigarette tax and tobacco tax law under the jurisdiction of the Department of Taxation.

Your Committee on Conference recognizes the Department of Taxation recently completed a review of the Hawaii Revised Statutes chapters that are being amended by this measure. Your Committee on Conference believes that this measure will clarify certain state tax laws and allow for more effective administration of those laws.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that statements filed concerning the number of gallons of fuel refined, manufactured, compounded, imported, sold or used by the distributor or person are public records;
- (2) Changing the effective date to July 1, 2021; and
- (3) Making technical, nonsubstantive changes for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1202, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1202, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Quinlan, Johanson, Holt, Kong, and Okimoto.

Managers on the part of the House.

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

Senators Keith-Agaran, English, and Taniguchi.

Managers on the part of the Senate.

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

Conf. Com. Rep. 105 on S.B. No. 1203

The purpose of this measure is to make nonsubstantive changes to Title 14, Hawaii Revised Statutes, for clarity and to delete obsolete provisions.

Your Committee on Conference finds that it is necessary to amend and repeal various provisions of the Hawaii Revised Statutes for the purposes of correcting errors and references, clarifying language, or deleting obsolete or unnecessary provisions. This measure adds clarity to the law and allows for more effective administration.

Your Committee on Conference has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1203, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1203, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Quinlan, Holt, and Okimoto.

Managers on the part of the House.

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

Senators Keith-Agaran, English, and Kanuha.

Managers on the part of the Senate.

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

Conf. Com. Rep. 106 on S.B. No. 400

The purpose of this measure is to clarify that increased fines may apply if a candidate committee or noncandidate committee fails to timely file the preliminary primary or preliminary general report due in an unspecified number of calendar days before a primary or general election.

Your Committee on Conference finds that the Campaign Spending Commission requires candidate and noncandidate committees to file a series of reports prior to an election and the language establishing these reporting requirements is periodically in need of clarifying updates as the requirements are refined and amended. This measure will improve transparency and accountability in the election system by incentivizing, through the potential for increased fines, the timely filing of reports by candidate committees and noncandidate committees to the Campaign Spending Commission.

Your Committee on Conference has amended this measure by:

- (1) Specifying that preliminary primary and preliminary general reports are due ten calendar days before a primary or general election; and
- (2) Making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 400, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 400, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives McKelvey, Matayoshi, Wildberger, Todd, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Lee, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 107 on S.B. No. 402

The purpose of this measure is to:

- (1) Provide that expenditures by candidate committees may be made to reimburse other individuals for expenditures advanced by those individuals, in addition to those advanced by the candidate; and
- (2) Delete candidate reimbursements from the category of expenditures that noncandidate committees must itemize in their reports, since noncandidate committees are not allowed to receive or make loans under existing law.

Your Committee on Conference finds that under existing law, only candidate reimbursements need to be itemized in reports made to the Campaign Spending Commission. Your Committee on Conference further finds that in many instances, individuals other than the candidate are also being reimbursed for campaign costs advanced by the individuals. This measure requires that reimbursements made to other individuals be itemized as well, which will provide more transparency in how candidate committees are spending their funds.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 402, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 402, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives McKelvey, Nakashima, Wildberger, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Acasio, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 108 on S.B. No. 405

The purpose of this measure is to:

- (1) Provide that excess contributions by nonresident contributors shall escheat to the Hawaii Election Campaign Fund if not returned to the contributor within thirty days of the end of the election period; and
- (2) Allow the candidate, candidate committee, or noncandidate committee to choose which excess contributions by nonresident contributors to return.

Your Committee on Conference finds that the Hawaii Election Campaign Fund was established to be used for partial public financing of campaigns of the State and its political subdivisions, but that demand for financing often outstrips available resources. Providing that excess contributions by nonresident contributors shall escheat to the fund if not returned to the contributor within thirty days complements existing law and will help ensure adequate funding for the partial public financing program. This measure will provide an additional source of income for the Hawaii Election Campaign Fund and allow candidates to more readily use available public financing through the Fund.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 405, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 405, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives McKelvey, Matayoshi, Wildberger, Takumi, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Keohokalole, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 109 on S.B. No. 1402

The purpose of this measure is to require the Department of Transportation to create motor vehicle, bicycle, and pedestrian highway and pathway networks throughout each island.

Your Committee on Conference finds that Hawaii's ground transportation system has historically been built as a car-centric system with little attention given to alternative forms of transportation. This has raised the cost of living, impacted quality of life, and resulted in some of the highest transportation-related fatality rates in the nation, especially in some of the lower-income communities in the State. Simply adding lanes to reduce traffic does not address Hawaii's most pressing concerns regarding traffic, safety, and health. The establishment of separate motor vehicle, bicycle, and pedestrian highway and pathway networks throughout the State is an effective way to decrease the public's reliance on personal motor vehicles, reduce the cost of transportation, and improve public health. Accordingly, this measure will modernize Hawaii's ground transportation infrastructure by providing additional metrics, considerations, and assistance to the Department of Transportation in order to reduce transportation costs, minimize traffic injuries and fatalities, improve public health and quality of life, and address greenhouse gas emissions.

Your Committee on Conference has amended this measure by inserting an effective date of July 1, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1402, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1402, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Ilagan, Hashimoto, and Matsumoto.

Managers on the part of the House.

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

Senators Lee, Moriwaki, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 110 on H.B. No. 553

The purpose of this measure is to protect sharks while not criminalizing the accidental capture and release of sharks that may be captured while fishing for other species as allowed by statute or rule by:

- (1) Establishing an offense of intentionally or knowingly capturing, entangling, or killing a shark in state marine waters and providing for criminal and civil penalties and administrative fines, fees, and costs;
- (2) Providing for certain exemptions to the offense of intentionally or knowingly capturing, entangling, or killing a shark in state marine waters; and
- (3) Allowing the Department of Land and Natural Resources to adopt rules to, at minimum:
 - (A) Ensure that the incidental capture and release of sharks while targeting other species is not a violation;
 - (B) Prevent the wanton waste of sharks; and
 - (C) Limit gear, such as gill nets, in areas identified as shark nursery habitats.

Your Committee on Conference has amended this measure by:

- (1) Exempting a person who captures or kills a shark pursuant to a permit issued by the Department of Land and Natural Resources from the criminal and civil penalties and administrative fines, fees, and costs established;
- (2) Authorizing the Department of Land and Natural Resources to issue a non-commercial permit for the take of sharks, subject to permit conditions that include Native Hawaiian cultural protocol, size and species restrictions, and a prohibition on species designated as endangered or threatened; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 553, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 553, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Lowen, Cullen, and McDermott.

Managers on the part of the House.

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

Senators Gabbard, Inouye, Rhoads, and English.

Managers on the part of the Senate.

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

Conf. Com. Rep. 111 on H.B. No. 1019

The purpose of this measure is to conserve, restore, and enhance Hawaii's marine resources by:

- (1) Temporarily establishing the Ocean Stewardship Special Fund; and
- (2) Establishing the Ocean Stewardship User Fee, to be collected beginning on January 1, 2024.

Your Committee on Conference has amended this measure by:

- (1) Changing the sunset date of the Ocean Stewardship Special Fund from June 30, 2030, to January 1, 2029; and
- (2) Changing its effective date to upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1019, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1019, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Branco, and McDermott.

Managers on the part of the House.

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

Senators Inouye, Kanuha, and Misalucha.

Managers on the part of the Senate.

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

Conf. Com. Rep. 112 on H.B. No. 834

The purpose of this measure is to require the Department of Land and Natural Resources, in collaboration with the County of Hawaii, to conduct site surveys on the island of Hawaii to identify the most suitable locations for new black cinder cone quarries.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$150,000 for fiscal year 2021-2022;
- (2) Changing the source of funding to the funds received by the State of Hawaii from the American Rescue Plan Act of 2021, Public Law 117-2 (Section 9901); and
- (3) Changing its effective date to July 1, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 834, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 834, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Branco, and McDermott.

Managers on the part of the House.

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

Senators Inouye, Kanuha, and Misalucha.

Managers on the part of the Senate.

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

Conf. Com. Rep. 113 on H.B. No. 1276

The purpose of this measure is to:

- (1) Grant the Board of Land and Natural Resources greater flexibility by authorizing it to adopt, amend, and repeal administrative fee schedules for all user fees, including camping, lodging, parking, group use, and special use activities, through formal board action at a publicly noticed meeting rather than through administrative rulemaking; and
- (2) Appropriate funds for administration of the State Parks Program.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1276, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1276, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Nakamura, Branco, and McDermott.

Managers on the part of the House.

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

Senators Inouye, Moriwaki, and Misalucha.

Managers on the part of the Senate.

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

Conf. Com. Rep. 114 on H.B. No. 863

The purpose of this measure is to authorize the issuance of general obligation bonds for the forest stewardship program to build and expand the facilities of state tree nurseries.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$750,000 for fiscal year 2021-2022 only;
- (2) Changing the source of funding to the funds received by the State of Hawaii from the American Rescue Plan Act of 2021, Public Law 117-2 (Section 9901);
- (3) Changing its effective date to July 1, 2021; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 863, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 863, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Branco, and McDermott.

Managers on the part of the House.

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

Senators Inouye, Keith-Agaran, and Riviere.

Managers on the part of the Senate.

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

Conf. Com. Rep. 115 on H.B. No. 1149

The purpose of this measure is to restructure the manner in which the State handles certain land use and planning matters by:

- (1) Exempting the Land Use Commission from certain provisions of section 26-35, Hawaii Revised Statutes, pertaining to the administrative supervision of boards and commissions;
- (2) Administratively attaching the Land Use Commission to the Office of Planning; and
- (3) Maintaining the independence of the Land Use Commission on matters coming before it to which the Office of Planning is a party by requiring the establishment of and adherence to procedures and safeguards to avoid actual or perceived conflicts of interest that may otherwise arise in the Land Use Commission's proceedings.

Your Committee on Conference has amended this measure by:

- (1) Renaming the newly restructured Office of Planning as the Office of Planning and Sustainable Development (Office) and making conforming amendments;
- (2) Authorizing, rather than requiring, the Office to undertake a boundary review of the classification and districting of all lands in the State;
- (3) If the Office undertakes a boundary review, requiring the Office to submit a report of its findings to the Governor, Legislature, and appropriate state and county agencies;
- (4) Requiring the Office to assist the Legislature and state and county agencies in maintaining an overall framework to guide the development of the State;
- (5) Authorizing, rather than requiring, the Director of the Office to retain staff in conformity with chapter 76, Hawaii Revised Statutes;
- (6) Authorizing the Director of the Office to retain staff without regard to chapter 76, Hawaii Revised Statutes;
- (7) Requiring the Office to gather, analyze, and provide information to the Legislature and state and county agencies to assist in the overall analysis and formulation of state policies and strategies;
- (8) Clarifying and strengthening the provisions that may prevent conflicts of interest in proceedings before the Land Use Commission; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1149, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1149, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Luke, and McDermott.

Managers on the part of the House.

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

Senators Inouye, Moriwaki, Dela Cruz, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 116 on H.B. No. 1352

The purpose of this measure is to require the Office of Planning to submit a report to the Legislature containing the following:

- (1) An inventory of the lands within the State that are leased to, or under the control of, the federal government, to be prepared by the Department of Land and Natural Resources by a date determined by the Office of Planning;
- (2) Any known contaminants or environmental hazards on the lands based on past environmental studies, to be prepared by the Department of Health in consultation with the Environmental Protection Agency, by a date determined by the Office of Planning;
- (3) Input from all executive branch departments and agencies and the Office of Hawaiian Affairs on remediation and restoration needs and proposed alternative uses for the lands; and
- (4) The Office of Planning's findings and recommendations, including any proposed legislation, based on the information above.

Your Committee on Conference has amended this measure by changing its effective date to July 1, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1352, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1352, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ohno, Tarnas, Marten, Ganaden, and McDermott.

Managers on the part of the House.

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

Senators Inouye, Gabbard, Nishihara, Wakai, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 117 on H.B. No. 1176

The purpose of this measure is to:

- (1) Authorize the Governor to designate the Department of Land and Natural Resources to administer or enter into agreements to administer a Green Job Youth Corps Program to help address the unemployment impacts of the COVID-19 pandemic and support work and training opportunities for young adults and economic diversification;
- (2) Require the Department of Land and Natural Resources to submit a progress report to the Legislature prior to the convening of the Regular Session of 2022; and
- (3) Appropriate funds.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the Green Job Youth Corps Program shall prioritize work and training opportunities for young adults between ages twenty and forty, rather than thirty years or younger;
- (2) Deleting language that would have appropriated general funds for the Green Job Youth Corps Program;
- (3) Appropriating \$5,000,000 out of the funds received by the State from the American Rescue Plan Act, Public Law 117-2, section 9901, for salaries only for up to one thousand Green Job Youth Corps Program participant positions;
- (4) Lapsing all unexpended and unencumbered balances of the appropriation on November 1, 2021;
- (5) Changing the effective date to July 1, 2021; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1176, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1176, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Quinlan, Holt, and Okimoto.

Managers on the part of the House.

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

Senators Taniguchi, Inouye, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 118 on H.B. No. 1191

The purpose of this measure is to:

- (1) Establish the Broadband Infrastructure Grant Program to award grants to applicants to extend deployment of infrastructure used to provide broadband service to unserved and underserved areas of the State;

- (2) Amend the Hawaii Technology Loan Revolving Fund to rename it the Hawaii Broadband Infrastructure Fund, change the types of funds deposited into the fund, and increase the expenditure ceiling; and
- (3) Authorize the issuance of general obligation bonds for the Broadband Infrastructure Grant Program.

Your Committee on Conference has amended this measure by:

- (1) Clarifying the eligibility requirements for an applicant under the Broadband Infrastructure Grant Program by:
 - (A) Requiring an applicant to commit to paying a minimum of sixty percent, rather than eighty percent, of the total project costs out of the applicant's own funds;
 - (B) Removing references to the State's portion of the total project costs; and
 - (C) Removing the requirement for an applicant to attest that the project does not jeopardize the eligibility of federal funding;
- (2) Renaming the Hawaii Technology Loan Revolving Fund the Hawaii Broadband Infrastructure Special Fund, rather than the Hawaii Broadband Infrastructure Fund;
- (3) Deleting language that would have allowed funds received from a county to be deposited into the Hawaii Broadband Infrastructure Special Fund;
- (4) Deleting language that would have authorized the issuance of general obligation bonds for the Broadband Infrastructure Grant Program;
- (5) Appropriating \$5,000,000 out of the funds received by the State from the American Rescue Plan Act of 2021, Public Law 117-2 (Section 9901), for the Broadband Infrastructure Grant Program;
- (6) Establishing the Hawaii Broadband and Digital Equity Office within the Department of Business, Economic Development, and Tourism;
- (7) Requiring the Governor, upon the advice and consent of the Senate, to appoint a Strategic Broadband Coordinator to head the Hawaii Broadband and Digital Equity Office;
- (8) Changing the effective date to July 1, 2021; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1191, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1191, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Quinlan, Johanson, Cullen, D. Kobayashi, and Okimoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (D. Kobayashi).

Senators Wakai, Kidani, and Misalucha.

Managers on the part of the Senate.

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

Conf. Com. Rep. 119 on H.B. No. 561

The purpose of this measure is to:

- (1) Require the Public Utilities Commission to make determinations of the reasonableness of the costs pertaining to fossil fuel or biomass sourced electricity or gas utility system capital improvements and operations and to consider the effect of the State's reliance on fossil fuels and biomass based on certain factors;
- (2) Require the Public Utilities Commission to determine on an individual basis whether an analysis is necessary for proceedings involving water, wastewater, or telecommunications providers; and
- (3) Exempt the Public Utilities Commission from the requirement to conduct an analysis for a utility's routine system replacements or determinations that do not pertain to capital improvements or operations.

Your Committee on Conference has amended this measure by:

- (1) Deleting the preamble;
- (2) Clarifying that the Public Utilities Commission shall make determinations of the reasonableness of the costs pertaining to electric or gas, and deleting "fossil fuel or biomass sourced", utility system capital improvements and operations in its consideration to reduce the State's reliance on fossil fuels;
- (3) Deleting all references to "and biomass";
- (4) Replacing "overground" with "underground" line determinations; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 561, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 561, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Kitagawa, Marten, and Matsumoto.

Managers on the part of the House.

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

Senators Wakai, Baker, Dela Cruz, and Misalucha.

Managers on the part of the Senate.

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

Conf. Com. Rep. 120 on H.B. No. 552

The purpose of this measure is to:

- (1) Establish clean ground transportation goals for state agencies on a staggered basis until achieving a one hundred percent light-duty motor vehicle clean fleet by December 31, 2030;
- (2) Establish procurement policy requirements for medium- and heavy-duty motor vehicles;
- (3) Allow state and county agencies to include trees and plants having lifespans longer than twenty years as a part of capital improvement projects;
- (4) Require that all new light-duty passenger vehicles purchased for the State's fleet are zero-emission vehicles and permit the Department of Accounting and General Services to authorize an exemption for new fleet vehicle procurement;
- (5) Conform various definitions to the Code of Federal Regulations;
- (6) Provide for electric vehicle charging and clean ground transportation goals in the State's planning and budget preparation and program implementation goals; and
- (7) Require the Chief Energy Officer to lead the efforts to incorporate energy efficiency, renewable energy, energy resiliency, and clean transportation to reduce costs and achieve clean energy goals across all public facilities.

Your Committee on Conference has amended this measure by:

- (1) Amending the clean ground transportation goals for the State's fleet to the following:
 - (A) One hundred percent of light-duty motor vehicles that are passenger cars to be zero-emission vehicles by December 31, 2030; and
 - (B) One hundred percent of light-duty motor vehicles to be zero-emission vehicles by December 31, 2035;
- (2) Deleting language that would have allowed state and county agencies to include trees and plants having lifespans longer than twenty years as a part of capital improvement projects;
- (3) Deleting language that would have provided for electric vehicle charging and clean ground transportation goals in the State's planning and budget preparation and program implementation goals;
- (4) Authorizing the Department of Accounting and General Services to approve state fleet acquisition, including:
 - (A) Establishing one hundred percent zero-emission vehicle requirements for light-duty motor vehicles that are passenger cars and light-duty motor vehicles that are multipurpose passenger vehicles and trucks by January 1, 2022, and January 1, 2030, respectively; and
 - (B) Authorizing the Comptroller to exempt new fleet vehicle purchases from zero-emission requirements for various reasons;
- (5) Requiring the Department of Transportation, in collaboration with the Hawaii State Energy Office, to develop strategies to transition all light-duty motor vehicles in the State's fleets to meet its clean ground transportation goals;
- (6) Clarifying provisions relating to the procurement policy for public agencies purchasing or leasing light-, medium-, and heavy-duty motor vehicles, including the priority for selecting vehicles and various related definitions;
- (7) Specifying that vehicles acquired from another state agency and vehicles excluded from the procurement policy requirements described in paragraph (6) shall be included in the calculation of the State's clean ground transportation goals;
- (8) Clarifying that with regard to motor vehicles and transportation fuel, each state agency shall include:
 - (A) Efficient utilization of renewable energy for charging electric vehicles in its promotion of efficient operation of vehicles; and
 - (B) The collection and maintenance of hourly charging data by electric vehicle and electric vehicle charging system;
- (9) Deleting language that would have required the Hawaii State Energy Office to lead the efforts to incorporate energy efficiency, renewable energy, energy resiliency, and clean transportation to reduce costs and achieve clean energy goals across all public facilities;
- (10) Changing the effective date to July 1, 2021; and
- (11) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 552, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 552, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Aquino, Johanson, Cullen, and Matsumoto.

Managers on the part of the House.

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

Senators Wakai, Lee, and Kidani.

Managers on the part of the Senate.

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

Conf. Com. Rep. 121 on H.B. No. 73

The purpose of this measure is to amend the definition of "emergency worker" in the Penal Code to include Hawaii state on-scene coordinators and telecommunications dispatchers.

Your Committee on Conference has amended this measure by:

- (1) Deleting its contents and inserting language that requires the Department of Human Resources Development to:
 - (A) Review the classification and compensation schedules for telephone and emergency dispatchers and similar employees; and
 - (B) Submit a report to the Legislature recommending modifications to those classification and compensation schedules;
- (2) Changing its effective date to upon approval; and

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 73, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 73, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Holt, D. Kobayashi, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 122 on H.B. No. 357

The purpose of this measure is to establish the statute of limitations for all claims against the State founded upon article I, section 20, of the Hawaii State Constitution, regarding eminent domain, as two years.

Your Committee on Conference has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 357, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 357, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Yamashita, D. Kobayashi, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 123 on H.B. No. 1311

The purpose of this measure is to address the shortage of affordable rental housing on Maui and maintain the viability of the Keawe Street Apartments affordable housing project by:

- (1) Removing the 2022 deadline for completion of the Leialii affordable housing project; and
- (2) Specifying that the developer of the Keawe Street Apartments affordable housing project shall be responsible for all associated costs of the archaeological inventory survey for the footprint of the Keawe Street apartments affordable housing project but shall not be responsible for the cost of the archaeological inventory survey for the entire Villages of Leialii master planned community.

Your Committee on Conference has amended this measure by:

- (1) Reverting to the existing \$37,000,000 appropriation authorized by Act 98, Session Laws of Hawaii 2019;
- (2) Requiring the Villages of Leialii affordable housing project to comply with the requirements of the Historic Preservation Law, as funding is appropriated for each portion of the Villages of Leialii affordable housing project;
- (3) Changing the effective date to July 1, 2021; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1311, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1311, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakamura, McKelvey, Yamashita, Hashimoto, and McDermott.

Managers on the part of the House.

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

Senators Chang, Moriwaki, Rhoads, Inouye, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 124 on H.B. No. 80

The purpose of this measure is to amend the Low-Income Housing Tax Credit by:

- (1) Allowing the tax credit to be allocated by a partnership or limited liability company in any manner agreed to by the partners or members, regardless of whether an individual or entity receiving the tax credit is deemed to be a partner or member for federal income tax purposes;
- (2) Requiring claims for the tax credit to include an Internal Revenue Service Form 8609;
- (3) Specifying the application of certain tax provisions with respect to qualified low-income buildings placed in service after December 31, 2020; and
- (4) Extending the sunset date of Act 129, Session Laws of Hawaii 2016, from December 31, 2021, to December 31, 2027.

Your Committee on Conference has amended this measure by:

- (1) Deleting language stating that the intent of the measure is not to jeopardize the receipt of any federal aid;

- (2) Deleting severability language;
- (3) Changing the effective date to July 1, 2021; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 80, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 80, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakamura, Nishimoto, Hashimoto, Takumi, and McDermott.

Managers on the part of the House.

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

Senators Moriwaki, Shimabukuro, Taniguchi, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 125 on H.B. No. 1081

The purpose of this measure is to require the Department of Transportation and each county's transportation department to maintain and publish a priority list of sidewalk installation and pedestrian improvement projects.

Your Committee on Conference has amended this measure by changing the effective date to July 1, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1081, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1081, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Ilagan, and Matsumoto.

Managers on the part of the House.

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

Senators Lee, Wakai, and Rhoads.

Managers on the part of the Senate.

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

Conf. Com. Rep. 126 on H.B. No. 824

The purpose of this measure is to require any express carrier company, certain common or contract carriers, or any other person that transports liquor from outside the State for delivery in the State, to prepare and file a monthly report with the liquor commission or liquor control adjudication board of each county.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date to July 1, 2021; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 824, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 824, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Johanson, Ilagan, Takumi, and Matsumoto.

Managers on the part of the House.

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

Senators Baker, Wakai, and Chang.

Managers on the part of the Senate.

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

Conf. Com. Rep. 127 on H.B. No. 766

The purpose of this measure is to amend Act 30, Session Laws of Hawaii 2020, to increase the funding appropriated from the State Highway Fund for the Photo Red Light Imaging Detector Systems pilot program.

Your Committee on Conference has amended this measure by making it take effect retroactively on June 30, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 766, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 766, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Johanson, Cullen, and Matsumoto.

Managers on the part of the House.

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

Senators Lee, Inouye, Shimabukuro, and Fevella.

Managers on the part of the Senate.

Ayes, 3; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Shimabukuro).

Conf. Com. Rep. 128 on S.B. No. 765

The purpose of this measure is to:

- (1) Establish sentencing guidelines for highly intoxicated drivers;
- (2) Require that ignition interlock devices be installed on all vehicles operated by a person upon license revocation;
- (3) Increase the license revocation period and extend the applicable lookback periods; and
- (4) Amend the penalties for operating a vehicle under the influence of an intoxicant.

Your Committee on Conference finds that the habitual highly intoxicated driver poses a substantial risk to others on the road. Despite their repeated arrests and convictions, these drivers continue to drive while intoxicated. This measure aims to strengthen the current law regarding operating a vehicle under the influence of an intoxicant.

Your Committee on Conference has amended this measure by changing the effective date to July 1, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 765, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 765, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Cullen, Takumi, and Ward.

Managers on the part of the House.

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

Senators Nishihara, Rhoads, and English.

Managers on the part of the Senate.

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

Conf. Com. Rep. 129 on S.B. No. 934

The purpose of this measure is to exempt hydrogen fuel products from petroleum product measurement requirements.

Your Committee on Conference finds that hydrogen has an important role to play in Hawaii's energy portfolio as a carbon-free energy storage mechanism, potential means of providing grid support, and provider of pollution-free fuel for both electricity and transportation. Your Committee on Conference further finds that the definition of fuel is broad and does not exclude hydrogen, which implies that hydrogen must be sold on the basis of measure. Currently, the State has no means to measure and certify a hydrogen dispenser. This measure will assist the State in utilizing other forms of renewable fuels by explicitly exempting hydrogen fuels from measurement standards relating to fuel.

Your Committee on Conference has amended this measure by changing the effective date to July 1, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 934, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 934, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Kitagawa, Marten, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Wakai, and Rhoads.

Managers on the part of the Senate.

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

Conf. Com. Rep. 130 on S.B. No. 242

The purpose of this measure is to:

- (1) Establish the computer science special fund until June 30, 2026;
- (2) Require that public and charter schools offer education in computer science; and
- (3) Require the Department of Education to submit to the Board of Education and Legislature annual reports.

Your Committee on Conference finds that the economic disruption caused by the global coronavirus disease 2019 (COVID-19) pandemic has illustrated a need to diversify Hawaii's economy beyond tourism and has highlighted the importance of digital literacy. Your Committee on Conference further finds that the economic disruption caused by the COVID-19 pandemic has increased the focus on computer science education as a key driver of both economic growth and digital literacy. A computer science job pipeline can help to diversify Hawaii's economy away from tourism and into cybersecurity, green energy, robotics, and other technology-based fields. This measure requires schools to offer education in computer science, which will provide students with a knowledge in technology so that they may capitalize on growing opportunities in the computer science industry in the future.

Your Committee on Conference has amended this measure by:

- (1) Removing language that establishes the computer science special fund;
- (2) Changing the effective date to July 1, 2021; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 242, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 242, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Perruso, Ganaden, Gates, and Okimoto.

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

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

Conf. Com. Rep. 131 on S.B. No. 222

The purpose of this measure is to, beginning July 1, 2022, require the Comptroller's annual report to the Governor and Legislature to include a list of all accounts closed by the Comptroller during the immediately preceding fiscal year and a list of accounts that remain open but that are serving a lapsed program or initiative.

Your Committee on Conference finds that although the Department of Accounting and General Services reports on closed accounts, departments do not always report accounts that are open but inactive and are serving lapsed funds.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 222, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 222, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 132 on S.B. No. 332

The purpose of this measure is to temporarily amend for one year the powers and duties of the Comptroller to reduce the preaudit requirements of all proposed payments to expenditures.

Your Committee on Conference finds that the State's forty-five-year-old accounting software system is a dated processing system that requires substantial human intervention and paper processing because it was not designed with automated checks and balances embedded in the programming methodology. Your Committee on Conference further finds that updating the preaudit process for proposed payments can help the State provide more effective, efficient, and expeditious services to the public. Your Committee on Conference notes that the new Financial Management System project, which will replace the outdated manual process, will also help preserve and strengthen the integrity of the Comptroller's pre-audits and post-audits.

Your Committee on Conference has amended this measure by:

- (1) Allowing the Comptroller to preaudit proposed payments that are less than \$100,000;
- (2) Requiring the Comptroller to preaudit proposed payments of expenditures of \$100,000 or more;
- (3) Changing the effective date to July 1, 2021 and inserting a sunset date of July 1, 2024; and
- (4) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 332, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 332, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 133 on S.B. No. 939

The purpose of this measure is to establish June 19 of each year as Juneteenth in recognition of the history and legacy of slavery in the United States and in honor of the significant roles and contributions of African Americans in the history of the United States.

Your Committee on Conference finds that Hawaii is one of only three states that have not recognized Juneteenth as a state holiday or special day of observance. Juneteenth, also known as Freedom Day, was the day in 1865 that Union soldiers rode into Galveston, Texas, declaring the end of the Civil War and that all slaves were free. The holiday is a celebration of African American freedom and achievement, encouraging continuous self-development and respect for all cultures. Your Committee on Conference further finds that as a state that prides itself on diversity and inclusivity, it is long overdue for the State to fully live out the Aloha spirit and stand with the forty-six states that have chosen to make Juneteenth an annual day of remembrance and celebration.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 939, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 939, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Gates, Matayoshi, B. Kobayashi, Tokioka, and Ward.
Managers on the part of the House.

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

Senators Moriwaki, Wakai, and Taniguchi.

Managers on the part of the Senate.

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

Conf. Com. Rep. 134 on S.B. No. 1015

The purpose of this measure is to require the Comptroller to perform additional office space management duties for state agencies occupying facilities that are managed by the Department of Accounting and General Services.

Your Committee on Conference finds that remote teleworking during the coronavirus disease 2019 pandemic has enabled the State to make better use of its limited resources, including office space, furnishing, equipment, electrical and data requirements, storage space, and other traditional needs of employees who work at state facilities. Your Committee on Conference further finds that the Department of Accounting and General Services (DAGS) manages roughly one percent of the entire state building inventory.

Your Committee on Conference has amended this measure by:

- (1) Expanding the Comptroller's authority to manage spaces in facilities to include those that are not managed by DAGS;
- (2) Decreasing the total square footage of state-leased space for the Comptroller to reduce before July 1, 2026, from twenty-five to ten percent;
- (3) Requiring the Comptroller to submit the first annual progress report to the Legislature prior to the Regular Session of 2022;
- (4) Making it effective upon its approval; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1015, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1015, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ichiyama, Eli, and Ward.

Managers on the part of the House.

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

Senators Moriwaki, Kidani, and Kanuha.

Managers on the part of the Senate.

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

Conf. Com. Rep. 135 on S.B. No. 1204

The purpose of this measure is to:

- (1) Replace the four district taxation boards of review with a single statewide Taxation Board of Review consisting of up to ten residents to be appointed by the Governor;
- (2) Authorize the Governor to appoint temporary board members during regular members' temporary absence from the State, recusal, or illness;
- (3) Require a quorum of at least three board members for any meeting or proceeding;
- (4) Authorize taxpayers and others appearing before the Taxation Board of Review to participate using cost-efficient means, such as teleconferencing;
- (5) Require all decisions of the Taxation Board of Review to be reduced to writing and state the Board's findings of fact and conclusions of law separately; and
- (6) Repeal the requirement that the assessor prepare the notice of appeal upon the request of the taxpayer.

Your Committee on Conference finds that the laws regarding the boards of review for each taxation district have inadvertently rendered the taxation appeal process practically inoperable. Your Committee on Conference further finds that replacing the four district boards of review with a single, statewide Taxation Board of Review will address and solve the existing boards' current inability to achieve regular and consistent quorum and increase the limited pool of candidates who are qualified and willing to serve.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1204, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1204, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Quinlan, Matayoshi, Holt, and Okimoto.

Managers on the part of the House.

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

Senators Moriwaki, Keith-Agaran, and Rhoads.

Managers on the part of the Senate.

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

Conf. Com. Rep. 136 on S.B. No. 1329

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

- (1) Require the Chief Procurement Officer or designee to address protests as expeditiously as possible;
- (2) Establish time limits to resolve protests to the awards of competitive sealed proposal contracts and procurements of professional services, if the protest is not resolved by mutual agreement, unless extenuating circumstances require additional time; and

- (3) Amend the cash or protest bond amount for a party initiating an administrative proceeding for review of a decision on the solicitation or award of a competitive sealed bidding or competitive sealed proposal contract, depending on the estimated value of the awarded contract.

Your Committee on Conference finds that the timely review and resolution of bid protests reduces the costs and facilitates the execution of state-awarded projects, especially contracts on major construction and other crucial infrastructure enhancements. Your Committee on Conference notes that existing statutes and administrative rules on administrative review of the procurement protests require a resolution within forty-five days from the date of receipt of the protest, and therefore concludes that seventy-five calendar days, with an extension of forty-five calendar days for extenuating circumstances, is a sufficient period of time for review and response from the procuring department or agency.

Your Committee on Conference further finds that the current cash or protest bond amount for a party initiating an administrative proceeding for review under the Hawaii Public Procurement Code is too low for public works projects.

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

- (1) Requiring the Chief Procurement Officer or designee to respond to protests to the awards of construction contracts and airport contracts that are not resolved by mutual agreement, within seventy-five calendar days of receipt of the protests;
- (2) Allowing for an extension of the seventy-five-day resolution period under certain circumstances;
- (3) Amending the protest bond amount for a party initiating an administrative proceeding for review of a decision on the solicitation or award of a competitive sealed bidding or competitive sealed proposal contract to the singular rate of one percent of the estimated value of the contract;
- (4) Making it effective upon its approval; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1329, S.D. 2, H.D. 3, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1329, S.D. 2, H.D. 3, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives McKelvey, Johanson, Wildberger, and Ward.

Managers on the part of the House.

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

Senators Moriwaki, Kim, and Kanuha.

Managers on the part of the Senate.

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

Conf. Com. Rep. 137 on S.B. No. 599

The purpose of this measure is to require massage therapist licensees to complete twelve hours of continuing education which shall include two hours of first aid, cardiopulmonary resuscitation, or other emergency-related course.

Your Committee on Conference finds that the practice of massage therapy in the State affects public health and safety. As a matter of public interest and concern, massage therapist licensees should regularly maintain their knowledge and education and receive basic first aid and emergency-related training through mandatory continuing education requirements. This measure requires massage therapists to complete basic first aid or emergency-related training as a condition of obtaining or renewing their licenses.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 599, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 599, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Nishimoto, and Matsumoto.

Managers on the part of the House.

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

Senators Keohokalole, Baker, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 138 on S.B. No. 814

The purpose of this measure is to:

- (1) Require members of the State Public Charter School Commission to collectively possess strong experience and expertise in various fields;
- (2) Allow the authorizer's staff to provide technical support up until the completed charter application is submitted;
- (3) Clarify charter application notice requirements; and
- (4) Clarify authorizer compliance requirements in cases of an appeal.

Your Committee on Conference finds that the charter school processes for new school applicants, contract renewals, and contract negotiation are inconsistent, difficult to navigate, and lack transparency. This measure will allow applicants to cure any deficiencies with their application rather than be automatically denied for nonsubstantive reasons and streamlines the charter school application process to ensure that approvals are obtained in a consistent and transparent manner.

Your Committee on Conference amended this measure by:

- (1) Specifying that the members of the State Public Charter School Commission shall collectively possess experience and expertise in public or nonprofit governance, management and finance, assessment, and public education;
- (2) Removing language that allowed an authorizer's staff to provide technical support to a prospective charter school applicant or applicant governing board;
- (3) Removing the letter of intent as part of the application process for charter schools;
- (4) Clarifying that the applicant governing board may cure any deficiency with their application within the application period;
- (5) Removing language that provided that if an authorizer takes any action that prohibits any applicant from proceeding with an application for any reason, then the action would be deemed a denial and subject to appeal;
- (6) Changing the effective date to July 1, 2021; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 814, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 814, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Ilagan, Gates, Perruso, and Okimoto.

Managers on the part of the House.

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

Senators Kidani, Keohokalole, and Kanuha.

Managers on the part of the Senate.

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

Conf. Com. Rep. 139 on S.B. No. 664

The purpose of this measure is to appropriate funds for the Hawaii Correctional System Oversight Commission.

Your Committee on Conference finds that the Legislature established the oversight coordinator position in 2019 when it established the Hawaii Correctional Oversight Commission. The Legislature specified the salary of the oversight coordinator, mandated that the oversight coordinator devote their entire time and attention to the administration of the Commission, and authorized the oversight coordinator to employ persons to perform the functions of the Commission. Nonetheless, to date, the Commission has operated without the benefit of an oversight coordinator or support staff. This measure will ensure that there is funding for an oversight coordinator position.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$330,000; and
- (2) Changing the effective date to July 1, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 664, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 664, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ohno, Matayoshi, Nishimoto, Ganaden, and McDermott.

Managers on the part of the House.

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

Senators Nishihara, Rhoads, Taniguchi, and English.

Managers on the part of the Senate.

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

Conf. Com. Rep. 140 on S.B. No. 263

The purpose of this measure is to:

- (1) Transfer oversight of the "Made in Hawaii" Program as it relates to manufactured products to the Department of Business, Economic Development, and Tourism;
- (2) Place the "Grown in Hawaii" Program under the management of the Department of Agriculture;
- (3) Transfer the ownership of the "Made in Hawaii with Aloha" trademark from the Department of Agriculture to the Department of Business, Economic Development, and Tourism; and
- (4) Appropriate funds to the Department of Business, Economic Development, and Tourism for the oversight and administration of the "Made in Hawaii" Program and for the promotion of the "Made in Hawaii with Aloha" brand.

Your Committee on Conference finds that this measure will help to raise the profile of Hawaii-branded products and move the local manufacturing and agriculture industries forward.

Your Committee on Conference has amended this measure by:

- (1) Renaming the "Made in Hawaii with Aloha" Program to the "Hawaii Made" Program;
- (2) Renaming the "Made in Hawaii with Aloha" trademark to the "Hawaii Made" trademark;
- (3) Outlining the Department of Business, Economic Development, and Tourism's oversight and administration responsibilities for the "Hawaii Made" Program;
- (4) Removing the "Grown in Hawaii" Program oversight provision;
- (5) Removing provisions that created a master plan for the marketing and advertising activities of the Department of Business, Economic Development, and Tourism and the Department of Land and Natural Resources;

- (6) Appropriating \$150,000 to the Department of Business, Economic Development, and Tourism out of federal funds for fiscal year 2021-2022, for the oversight and administration of the "Hawaii Made" Program and for the promotion of the "Hawaii Made" trademark;
- (7) Changing the effective date to upon its approval; and
- (8) Making technical, nonsubstantive amendments for the purposes of consistency and clarity.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 263, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 263, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Quinlan, Hashem, Johanson, Cullen, and Okimoto.

Managers on the part of the House.

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

Senators Wakai, Gabbard, Moriwaki, Misalucha, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 141 on S.B. No. 873

The purpose of this measure is to authorize contested case hearings to be conducted via the use of interactive conference technology.

Your Committee on Conference finds that contested case hearings can be conducted by using interactive conference technology, which is already being utilized for public meetings in accordance with section 92-3.5, Hawaii Revised Statutes. Your Committee on Conference further finds that allowing contested case hearings to be conducted by interactive conference technology will improve efficiency without compromising effectiveness.

Your Committee on Conference has amended this measure by making it effective on October 1, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 873, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 873, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Cullen, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Lee, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 142 on S.B. No. 1196

The purpose of this measure is to:

- (1) Amend the due date for employers to file the wage and tax statement from the last day of February to January 31 following the close of the calendar year; and
- (2) Impose a penalty on employers that fail to timely furnish and file the wage and tax statement.

Your Committee on Conference finds that under existing state law, there is no penalty if an employer fails to furnish an employee with their wage and tax statement (Form W-2) or fails to file a copy of Form W-2 with the Department of Taxation. This measure encourages further compliance with the requirements of state tax law and aligns state filing deadlines with those established by the Internal Revenue Service.

Your Committee on Conference has amended this measure by:

- (1) Specifying penalty amounts for failure to timely furnish and file wage and tax statements of \$25 per failure not to exceed \$50 per employee; and
- (2) Inserting an effective date of January 1, 2022.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1196, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1196, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Quinlan, Holt, and Okimoto.

Managers on the part of the House.

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

Senators Rhoads, Taniguchi, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 143 on S.B. No. 548

The purpose of this measure is to:

- (1) Amend various statutory provisions to clarify and improve the administration of elections by mail;
- (2) Establish voters with special needs advisory committees at the state and county levels;
- (3) Require the Department of Public Safety and the Hawaii Paroling Authority to inform individuals on parole or probation of their right to vote and provide them with voting information; and

- (4) Require the Office of Elections and the county clerks to make a determination, as soon as practicable, of the optimal number and placement of voter service centers.

Your Committee on Conference finds that statewide elections by mail were implemented in the 2020 primary and general elections, with the State receiving a record voter turnout. Your Committee on Conference further finds that although the administration of elections by mail in the State has been generally successful, further refinement and clarification of election law is required.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the minimum requirement of four precincts in each district applies beginning with the 2022 primary election;
- (2) Requiring each county to establish a county voters with special needs advisory committee;
- (3) Specifying the process by which ballots may be forwarded by electronic transmission to voters with special needs;
- (4) Making it effective upon its approval; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 548, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 548, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Cullen, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Lee, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 144 on S.B. No. 140

The purpose of this measure is to:

- (1) Require the Hawaii Community Development Authority to develop a transit-oriented development zone improvement program;
- (2) Amend the membership of the Hawaii Community Development Authority for matters affecting transit-oriented development zones; and
- (3) Authorize the Hawaii Community Development Authority to establish transit-oriented development zones for lands within county-designated transit-oriented development zones or within a one-half mile radius around proposed or existing transit stations, under certain circumstances.

Your Committee on Conference finds that transit-oriented development zones promote a wide range of social, environmental, and economic benefits, but currently, no single entity has the authority to redevelop the State's assets along the transit corridor in the best interest of the State. This measure fosters community development by strategically investing in public facilities through transit-oriented development.

Your Committee on Conference has amended this measure by:

- (1) Removing language that amended the membership of the Hawaii Community Development Authority for matters affecting community development districts;
- (2) Inserting language that establishes the Transit-Oriented Development Zone Improvement Board to govern the Transit-Oriented Development Zone Improvement Program;
- (3) Amending the definition of transit-oriented development to require transit-oriented development zones in counties with a population in excess of five hundred thousand to include a rail station or planned rail station;
- (4) Inserting an effective date of July 1, 2021; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 140, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 140, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Nakamura, Tarnas, Cullen, Hashimoto, and Matsumoto.

Managers on the part of the House.

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

Senators Inouye, Moriwaki, and Riviere.

Managers on the part of the Senate.

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

Conf. Com. Rep. 145 on S.B. No. 1139

The purpose of this measure is to:

- (1) Authorize the Department of Health to adopt administrative rules to establish patient registration fees beginning in fiscal year 2022;
- (2) Appropriate monies from the medical cannabis registry and regulation special fund to finance operations and staff, including administrative services, of the Office of Medical Cannabis Control and Regulation;
- (3) Establish, hire, and fill one full-time equivalent (1.00 FTE) permanent position funded by the medical cannabis registry and regulation special fund; and
- (4) Establish a task force to explore a dual system program of legalization for cannabis and its impact on qualifying patients, which shall submit a report of its findings to the Legislature.

Your Committee on Conference finds that the Office of Medical Cannabis Control and Regulation was forced to eliminate six full-time positions, including critical administrative staff, due to the budget shortfalls caused by the coronavirus disease 2019 pandemic. Administrative and program staff are needed to meet current statutory requirements and the need for administrative and programmatic support will only increase as the landscape for medical cannabis grows and evolves. This measure allows the Department of Health to establish patient registration fees through administrative rules, which would give the Office the financial flexibility it needs to support its ongoing operating costs.

Your Committee on Conference has amended this measure by:

- (1) Removing the appropriation from the medical cannabis registry and regulation special fund and the full-time equivalent permanent position funded by that appropriation;
- (2) Amending section 1 of this measure to reflect its amended purpose;
- (3) Changing the effective date to upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1139, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1139, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Johanson, Tam, Kapela, and Ward.

Managers on the part of the House.

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

Senators Keohokalole, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 146 on S.B. No. 324

The purpose of this measure is to establish a definition of the practice of medicine that provides uniformity of practice for both medical and osteopathic physicians.

Your Committee on Conference finds that the definition of the practice of medicine was last amended in 2008 to include a distinct definition of osteopathic medicine. Your Committee on Conference further finds that medical doctors and osteopathic doctors are both physicians of equivalent education and training and should be regulated as such. This measure provides for the uniform regulation of medical and osteopathic doctors.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 324, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 324, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Johanson, Tam, Har, and Ward.

Managers on the part of the House.

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

Senators Keohokalole, Baker, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 147 on S.B. No. 1340

The purpose of this measure is to:

- (1) Enable the Hawaii Medical Board to issue licenses for emergency medical responders and other emergency ambulance personnel, which shall be based on certain requirements;
- (2) Include emergency medical responders in the State's pre-hospital response; and
- (3) Require the Department of Commerce and Consumer Affairs to examine a potential additional licensure category for emergency medical technicians who have received certain certification from the National Registry of Emergency Technicians but do not provide emergency ambulance services.

Your Committee on Conference finds that there is currently no licensure category for emergency medical technicians who only have National Registry Emergency Medical Technician certification. However, these emergency medical technicians, which include firefighters and ocean safety lifeguards, provide life-saving care with minimal equipment to critical care patients. This measure establishes licensure for emergency medical technicians who only have National Registry Emergency Medical Technician certification.

Your Committee on Conference has amended this measure by:

- (1) Removing the amendment to the definition of "emergency medical services personnel" in section 321-222, Hawaii Revised Statutes;
- (2) Amending chapter 453, Hawaii Revised Statutes, by adding a new section that:
 - (A) Requires the Hawaii Medical Board to issue licenses in four levels of emergency response practice, provided the practice is performed in a county with a population of 500,000 or greater;
 - (B) Requires the Hawaii Medical Board to accept license applications for a new class of license designated Emergency Medical Technician 1; and
 - (C) Sets forth practice requirements for Emergency Medical Technician 1 licensees;
- (3) Removing the issuance of emergency medical responder certifications and replacing it with emergency medical services licenses;
- (4) Removing the provision authorizing applications for emergency medical responder licenses;

- (5) Removing the requirement that the Department of Commerce and Consumer Affairs examine the possibility of an additional category of emergency medical technician license;
- (6) Inserting an appropriation amount of \$31,000 out of the compliance resolution fund for the hiring of a 0.5 full-time equivalent (0.5 FTE) permanent position;
- (7) Amending section 1 of the measure to reflect its amended purpose;
- (8) Changing the effective date to July 1, 2021;
- (9) Inserting a repeal date of July 1, 2027; and
- (10) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1340, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1340, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Kitagawa, Tam, Kapela, and Ward.

Managers on the part of the House.

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

Senators Keohokalole, Baker, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 148 on S.B. No. 808

The purpose of this measure is to:

- (1) Rename the School Facilities Agency as the School Facilities Authority;
- (2) Describe the powers and responsibilities of the School Facilities Authority by amending chapter 302A, part VI, subpart C and Act 72, Session Laws of Hawaii 2020;
- (3) Transfer the total fund balance in the state educational improvement fund to the school facilities special fund by an unspecified date; and
- (4) Appropriate funds.

Your Committee on Conference finds that Act 72, Session Laws of Hawaii 2020, established the School Facilities Agency, to be responsible for the development, planning, and construction of public school capital improvement projects and help improve the efficiency of school construction while more directly addressing the education needs of students. Your Committee on Conference further finds that this measure will provide more clarity as to the powers and responsibilities of the School Facilities Agency, the Agency's Executive Director and administrative staff, and the School Facilities Board, which will improve the Agency's overall efficiency and effectiveness.

Your Committee on Conference has amended this measure by:

- (1) Updating the purpose section;
- (2) Clarifying that the School Facilities Authority shall employ an Executive Director exempt from chapters 76 and 89, Hawaii Revised Statutes;
- (3) Removing language that provides that the establishment of the School Facilities Authority shall be for the purposes of implementing chapter 302A, part VI, subpart C, Hawaii Revised Statutes;
- (4) Clarifying that the School Facilities Authority shall comply with chapter 103D, Hawaii Revised Statutes;
- (5) Substituting the term "school facilities board" with "school facilities authority board";
- (6) Clarifying that the School Facilities Authority Board shall head and oversee the School Facilities Authority;
- (7) Removing language that the School Facilities Authority Board shall be responsible for advising the School Facilities Authority on preferred strategies to complete construction projects;
- (8) Clarifying that the School Facilities Authority Board shall be responsible for all matter related to the projects the School Facilities Authority is authorized and responsible for initiating and completing;
- (9) Substituting the term "subpart" with "chapter" in section 302A-1705, Hawaii Revised Statutes;
- (10) Amending Act 72, Session Laws of Hawaii 2020, section 5 to exclude the administrative positions for the School Facilities Authority from chapter 89, Hawaii Revised Statutes;
- (11) Amending Act 72, Session Laws of Hawaii 2020, section 10 to clarify that the School Facilities Authority shall be responsible for implementing the provisions of sections 302A-1151.1 and 302A-1151.2, Hawaii Revised Statutes, subpart B, part VI of chapter 302A, Hawaii Revised Statutes, and the development, planning, and construction of public schools facilities that the School Facilities Authority is authorized to undertake and complete;
- (12) Deleting language that required the City and County of Honolulu to convey fee simple interest in properties not previously conveyed to the Department of Education and School Facilities Authority;
- (13) Clarifying that the Executive Director and seven full-time administrative positions of the School Facilities Authority shall be exempt from section 76-16(b), Hawaii Revised Statutes, relating to civil service;
- (14) Specifying that the term "school facilities authority" shall be substituted for the word "department", "board", or "board of education" in section 302A-1151.1, Hawaii Revised Statutes;
- (15) Specifying that the Department of Education shall transfer the total fund balance in the state educational facilities improvement fund and all encumbrances against that fund to the school facilities special fund no later than one hundred eighty days of the effective date of this measure;

- (16) Specifying that every reference to the Department of Education, Board of Education, Chairperson of the Board of Education, or Superintendent of Education relating to the school impact fees is amended to refer to the School Facilities Authority, Executive Director of the School Facilities Authority, School Facilities Board, or Chairperson of the School Facilities Board;
- (17) Removing appropriation language;
- (18) Making conforming amendments; and
- (19) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 808, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 808, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Cullen, Yamashita, and Okimoto.

Managers on the part of the House.

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

Senators Kidani, Keith-Agaran, and Rhoads.

Managers on the part of the Senate.

Ayes, 2. Noes, none. Excused, 1 (Keith-Agaran).

Conf. Com. Rep. 149 on H.B. No. 54

The purpose of this measure is to appropriate funds for deposit into the Emergency and Budget Reserve Fund.

Your Committee on Conference has amended this measure by:

- (1) Inserting an amount of \$250,000,000 for deposit into the Emergency and Budget Reserve Fund;
- (2) Appropriating \$390,000,000 in general funds for the actuarially required contribution for other post-employment benefits;
- (3) Appropriating funds for state debt service payments;
- (4) Making it effective upon its approval; provided that the deposit into the Emergency and Budget Reserve Fund and appropriation for other post-employment benefits take effect retroactively on June 30, 2021; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 54, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 54, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Luke, Cullen, and McDermott.

Managers on the part of the House.

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

Senators Dela Cruz, Keith-Agaran, Wakai, and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Keith-Agaran).

Conf. Com. Rep. 150 on H.B. No. 1298

The purpose of this measure is to transfer excess moneys from various non-general funds to the general fund.

Your Committee on Conference finds that non-general funds must be reviewed and scrutinized from time to time to determine if resources are being deployed effectively and efficiently. Your Committee on Conference also finds that the funds listed in this measure contain moneys in excess of what is necessary for the purposes of each of those funds and that the excess amounts should be transferred to the general fund.

Your Committee on Conference amended this measure by:

- (1) Inserting provisions requiring each state department to annually submit to the Legislature program measures, cost elements, and accounting reports for all non-general funds under the department's control;
- (2) Amending the list of non-general funds having amounts determined by the Legislature to be in excess of what is necessary for the purposes of each of those funds;
- (3) For certain non-general funds, amending the amounts that are authorized to be transferred to the general fund; and
- (4) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1298, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1298, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Luke, Cullen, and McDermott.

Managers on the part of the House.

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

Senators Dela Cruz, Kanuha, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 151 on H.B. No. 1299

The purpose of this measure is to repeal or abolish various non-general funds and transfer the unencumbered balances to the general fund.

Your Committee on Conference finds that this measure will help to implement some of the recommendations of the Auditor regarding the reclassification, repeal, or abolition of certain funds. Your Committee on Conference further finds that this measure will help to provide greater transparency and accountability in the funding of certain programs.

Your Committee on Conference has amended this measure by:

- (1) Deleting various provisions that collectively repealed or abolished approximately fifty funds;
- (2) Repealing the agricultural development and food security special fund established pursuant to section 141-10, Hawaii Revised Statutes;
- (3) Abolishing the Leeward Coast homeless project fund;
- (4) Abolishing the Hawaii teacher standards board special fund; and
- (5) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1299, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1299, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Luke, Cullen, and McDermott.

Managers on the part of the House.

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

Senators Dela Cruz, Kanuha, and Keith-Agaran.

Managers on the part of the Senate.

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

Conf. Com. Rep. 152 on H.B. No. 224

The purpose of this measure is to:

- (1) Make the Department of Health alternatively responsible for the State Health Planning and Development Agency's duties;
- (2) Require the State Health Planning and Development Agency or Department of Health to update the state health services and facilities plan every five years;
- (3) Transfer monies in excess of \$2,000,000 in the State Health Planning and Development Special Fund to the general fund at the end of each fiscal year;
- (4) Impose an administrative penalty of an unspecified sum for each seven-day period during which a person violates or fails to act in compliance with an approved certificate of need granted by the State Health Planning and Development Agency;
- (5) Exempt psychiatric services, special treatment facilities, and chronic renal dialysis services in Oahu regional government hospitals from the certificate of need requirements; and
- (6) Appropriate monies from the State Health Planning and Development Special Fund to fund positions within the State Health Planning and Development Agency.

Your Committee on Conference has amended this measure by:

- (1) Reverting to the existing statutory language that establishes the State Health Planning and Development Agency as the administrator of the State Health Planning and Development Special Fund;
- (2) Inserting a \$5,000 administrative penalty;
- (3) Removing special treatment facilities from the exemption from the certificate of need requirements;
- (4) Exempting all chronic renal dialysis services from the certificate of need requirements, rather than only those in Oahu regional government hospitals;
- (5) Removing all appropriations;
- (6) Requiring the Department of Health to conduct a study and report to the Legislature on the efficacy of this measure;
- (7) Changing the effective date to July 1, 2021;
- (8) Inserting a sunset date of July 1, 2026; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 224, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 224, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Johanson, Cullen, Har, and Ward.

Managers on the part of the House.

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

Senators Keohokalole, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 153 on H.B. No. 311

The purpose of this measure is to:

- (1) Extend the Nursing Facility Sustainability Program to June 30, 2024;
- (2) Specify that the Nursing Facility Sustainability Fee shall not exceed 5.5 percent of the overall net patient service revenue;
- (3) Remove the per resident daily maximum fee of \$20 for each facility and permit certain facilities to pay a reduced daily fee, as compared to other participating facilities;
- (4) Allow nursing facilities sixty days to pay the Nursing Facility Sustainability Fee; and
- (5) Appropriate funds out of the Nursing Facility Sustainability Program Special Fund.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$20,000,000 for uses consistent with the Nursing Facility Sustainability Program Special Fund; and
- (2) Changing the effective date to June 29, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 311, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 311, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Tam, Kapela, and Ward.

Managers on the part of the House.

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

Senators San Buenaventura, Keohokalole, Kidani, Baker, and Ihara.

Managers on the part of the Senate.

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

Conf. Com. Rep. 154 on H.B. No. 541

The purpose of this measure is to:

- (1) Clarify that the duties of the working group established within the Department of Health by Act 263, Session Laws of Hawaii 2019, include identifying gaps in services, coordinating funding sources, and establishing and identifying outcome measures for behavioral health, substance abuse, and homelessness;
- (2) Amend the composition of the working group;
- (3) Require the working group to report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2022;
- (4) Make an emergency appropriation to address budget shortfalls relating to payroll and other current expenses for the State Comprehensive Emergency Medical Services System; and
- (5) Require the Department of Commerce and Consumer Affairs to create an additional certification category for emergency medical technicians certified by the National Registry of Emergency Medical Technicians at a higher level of practice than emergency medical responders but who do not provide emergency ambulance service.

Your Committee on Conference has amended this measure by:

- (1) Removing the emergency appropriation;
- (2) Removing the requirement that the Department of Commerce and Consumer Affairs create an additional certification category;
- (3) Inserting an effective date of June 29, 2021; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 541, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 541, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Ichiyama, Tam, Har, and Ward.

Managers on the part of the House.

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

Senators Keohokalole, Ihara, English, Moriwaki, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 155 on H.B. No. 869

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist Luana Kai A Life Plan Community with the development and operation of a continuing care retirement community.

Your Committee on Conference has amended this measure by changing the effective date to July 1, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 869, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 869, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Tam, and Ward.

Managers on the part of the House.

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

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

Conf. Com. Rep. 156 on H.B. No. 1283

The purpose of this measure is to:

- (1) Authorize employers of first responder personnel to obtain and provide dementia training for first responder personnel at no cost to the first responder personnel; and
- (2) Authorize the Executive Office on Aging to coordinate dementia training schedules and standards, as necessary, with all public and private entities and agencies responsible for services provided by first responder personnel.

Your Committee on Conference has amended this measure by:

- (1) Inserting an effective date of July 1, 2021; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1283, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1283, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 157 on H.B. No. 1284

The purpose of this measure is to establish the All-Claims, All-Payer Data Center Steering Committee within the Department of Human Services to provide oversight and direction for the all-claims, all-payer database and data center in the Department's Health Analytics Program.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date to July 1, 2021; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1284, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1284, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Conf. Com. Rep. 158 on H.B. No. 79

The purpose of this measure is to support affordable housing in Hawaii by:

- (1) Establishing an Affordable Homeownership Revolving Fund within the Hawaii Housing Finance and Development Corporation to provide loans to nonprofit community development financial institutions and nonprofit housing development organizations for the development of affordable homeownership housing projects;
- (2) Authorizing the transfer of taxable general obligation bond proceeds and accrued interest from the Rental Housing Revolving Fund to the Affordable Homeownership Revolving Fund; and
- (3) Appropriating funds out of the Affordable Homeownership Revolving Fund.

Your Committee on Conference has amended this measure by:

- (1) Deleting language authorizing the transfer of taxable general obligation bond proceeds and accrued interest from the Rental Housing Revolving Fund to the Affordable Homeownership Revolving Fund;
- (2) Deleting language appropriating funds out of the Affordable Homeownership Revolving Fund;
- (3) Appropriating \$1,000,000 in American Rescue Plan Act funds for fiscal year 2022-2023 for the purpose of providing, in whole or in part, loans to nonprofit community development financial institutions and nonprofit housing development organizations for the development of affordable homeownership housing projects;
- (4) Changing the effective date to July 1, 2021; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 79, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 79, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakamura, Nishimoto, Hashimoto, Takumi, and McDermott.

Managers on the part of the House.

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

Senators Chang, Moriwaki, and Kanuha.

Managers on the part of the Senate.

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

Conf. Com. Rep. 159 on S.B. No. 1350

The purpose of this measure is to further defer:

- (1) Salary increases for the executive and judicial branches for an additional eighteen months at the salary rate as of July 1, 2022; and
- (2) Planned raises for members of the Legislature for an additional two years at the rate as of June 30, 2020; provided that the salaries for legislators are adjusted to the January 1, 2023, rate as of that date; provided further that the salary recommendations for legislators on January 1, 2024, are also effective on that date.

Your Committee on Conference finds that, pursuant to section 26-56, Hawaii Revised Statutes, the Commission on Salaries submitted a report of its findings and its salary recommendations for the next six years to the Legislature in 2019. Your Committee on Conference notes that the recommended salary adjustments submitted by the Commission on Salaries become effective on July 1 of the following fiscal year. Your Committee on Conference believes that because of the economic downturn that has resulted from the coronavirus disease 2019 pandemic, implementation of the Commission on Salaries' recommendations to the salaries of the executive and judicial branches, and planned adjustments for the Legislature, should continue to be deferred.

Your Committee on Conference further finds that, in February 2011, the U.S. Census Bureau announced it will likely delay delivery of the 2020 census results to the fifty states by as much as six months or more. This will significantly delay the reapportionment of federal, state, and county districts by the Reapportionment Commission.

Your Committee on Conference recognizes that reapportionment should occur before a candidate for the 2022 election is issued a nomination paper to ensure that the candidate not only meets the residency requirements, but also collects signatures from voters in the correct district. Your Committee on Conference further notes that after experiencing delays in preparing the reapportionment plan following the 2010 census, the State of Hawaii 2011 Reapportionment Commission Final Report and Reapportionment Plan made recommendations to improve the reapportionment process for the future, which includes clarifying the definition of a "permanent resident" and streamlining public notice of the proposed, revised, and final reapportionment plans.

Your Committee on Conference addresses the Reapportionment Commission's recommendation to clarify the definition of a "permanent resident" by requiring only the extraction of non-permanent residents from the total population of the State as counted by the U.S. Census Bureau. Obtaining specific data, rather than estimates, should result in an actual count of non-residents; and thereby provide a count of the permanent resident population of the State. In addition, the streamlined form of notice for reapportionment plans proposed by this measure is projected to result in significant cost savings, while also providing adequate notice to the public of the Reapportionment Commission's actions and the availability of the Reapportionment Plan and other related documents.

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

- (1) Inserting language that:
 - (A) Permits public notice in a short form for proposed, revised, and final reapportionment plans, subject to specific requirements;
 - (B) Temporarily amends the start date for the availability of nomination papers for the 2022 primary election;
 - (C) Defines "permanent resident" for reapportionment purposes; and
 - (D) Authorizes and appropriates funds to the Reapportionment Commission;
- (2) Making it effective upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1350, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1350, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Cullen, Belatti, and Okimoto.

Managers on the part of the House.

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

Senators Moriwaki, Wakai, Rhoads, and Lee.

Managers on the part of the Senate.

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

Conf. Com. Rep. 160 on H.B. No. 613

The purpose of this measure is to:

- (1) Make an emergency appropriation for fiscal year 2020-2021 from elementary and secondary school emergency relief fund (ESSER funds) monies received by the State from the Coronavirus Aid, Relief, and Economic Security Act and the Coronavirus Response and Relief Supplemental Appropriations Act to offset any budget reductions that are identified or proposed by the department of education and the governor that would result in the reduction of personnel who are subject to a collective bargaining agreement pursuant to chapter 89, Hawaii Revised Statutes, and who are employed at the school level, including any budget reduction that would result in a layoff, furlough, or pay reduction;
- (2) Require the Board of Education and Superintendent of Education to certify in writing that the Board of Education, Superintendent, and Department of Education agree to certain conditions, including that the funds appropriated shall be used only for salaries and wages of officers and employees who are subject to a collective bargaining agreement and are employed at the school level in the classroom; and

(3) Make an appropriation for fiscal years 2021-2022 and 2022-2023 from the same source of funding and with the same conditions.

Your Committee on Conference finds that states that received certain federal funds, including monies from the Elementary and Secondary School Emergency Relief Funds established by the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, 2020 (CARES Act), and the Coronavirus Response and Relief Supplemental Appropriations Act, 2021, Public Law 116-260 (CRRSAA), are required to assure that they will maintain support for education programs during fiscal years 2019-2020 and 2020-2021 by meeting certain benchmarks. The State, through the Department of Education, must comply with the provisions of the federal Education Stabilization Fund as set forth in section 18006 of the CARES Act to receive and expend CARES Act and CRRSAA monies, which, in part, requires the Department of Education to continue to pay its employees. This measure will appropriate certain federal monies received by the State to the Department of Education to offset any budget reductions that have been identified or proposed by the Department of Education and the Governor, which would result in the reduction of personnel who are subject to a collective bargaining agreement and who are employed at the school level, including any budget reduction that results in a layoff, furlough, or pay reduction.

Your Committee on Conference has amended this measure by:

- (1) Removing language that appropriates CARES Act and CRRSAA monies to the Department of Education to offset certain education-related budget reductions;
- (2) Inserting language that appropriates out of the Coronavirus Response and Relief Supplemental Appropriations Elementary and Secondary School Emergency Relief Fund (ESSER2) appropriation amount of \$144,656,637 for the Department of Education to expend on certain education-related items;
- (3) Inserting language that appropriates out of the American Rescue Plan Elementary and Secondary Emergency Relief Fund (ESSER3) appropriation amount of \$412,328,764 for the Department of Education to expend on certain education-related items;
- (4) Inserting language that establishes conditions under which superintendents may receive pay raises; and
- (5) Changing the effective date to upon its approval; provided that certain appropriation amounts made in section 2, paragraphs (12) through (14) and section 3 shall take effect on July 1, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 613, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 613, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Ichiyama, Luke, Eli, Kapela, and Okimoto.

Managers on the part of the House.

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

Senators Kidani, Dela Cruz, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 161 on H.B. No. 1362

The purpose of this measure is to:

- (1) Establish the Hawaii Early Childhood Educator Stipend Program to address the shortage of early childhood educators;
- (2) Authorize the Department of Education to directly accept private funding for the purpose of establishing public prekindergarten programs, subject to certain conditions;
- (3) Provide that each early learning program and preschool program may use available classrooms for public preschool programs statewide;
- (4) Give priority for entering the preschool open doors program to children who miss the cutoff date to enter kindergarten;
- (5) Clarify and make adjustments to Act 46, Session Laws of Hawaii 2020, which relates to access to learning, including:
 - (A) Delaying the expansion of the Preschool Open Doors Program to serve three-year-old children to July 1, 2024;
 - (B) Extending the deadline for a service provider of the Preschool Open Doors Program to commence national accreditation by two years;
 - (C) Requiring the application of a uniform assessment for public school and charter school kindergarten students;
 - (D) Extending the effective date for the Department of Education and State Public Charter School Commission to share certain information on prior early learning program attendance to July 1, 2023; and
 - (E) Allowing educational data to be shared using an existing system; and
- (6) Appropriate funds for one full-time equivalent (1.0 FTE) position to coordinate, staff, and facilitate the implementation of Act 46, Session Laws of Hawaii 2020.

Your Committee on Conference has amended this measure by:

- (1) Establishing a Hawaii Early Childhood Educator Special Fund and requiring stipend payments to be deposited into the Hawaii Early Childhood Educator Special Fund, rather than the Early Learning Special Fund, to be used to support the Hawaii Early Childhood Educator Stipend Program;
- (2) Providing that the Hawaii Early Childhood Educator Special Fund shall be abolished and repealed on June 30, 2023, and any unencumbered remaining balances shall lapse to the general fund;
- (3) Authorizing the Executive Office on Early Learning to accept federal funds to support the Hawaii Early Childhood Educator Stipend Program;
- (4) Clarifying that if the Department of Education accepts private funding for the purpose of establishing public prekindergarten programs:
 - (A) The Department of Education and the Executive Office on Early Learning shall sign a bilateral memorandum of agreement or understanding; and
 - (B) The Department of Education, the Executive Office on Early Learning, and the person or entity providing the private funding may sign a multilateral memorandum of agreement or understanding;
- (5) Providing that if the private funding received by the Department of Education to establish public prekindergarten programs is insufficient to maintain classroom operations of the public prekindergarten programs, the Department of Education and Executive Office on Early Learning are prohibited from requesting additional funding from the Legislature to pay for the remaining costs;

- (6) Requiring certain child care centers to be licensed by the Department of Human Services prior to accepting children into care;
- (7) Delaying the implementation of the application of the uniform assessment for public school and charter school kindergarten students to July 1, 2023;
- (8) Inserting an appropriation of \$98,000 for one full-time equivalent (1.0 FTE) position to coordinate, staff, and facilitate the implementation of Act 46, Session Laws of Hawaii 2020;
- (9) Changing the effective date to upon approval; and
- (10) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1362, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1362, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Cullen, and Okimoto.

Managers on the part of the House.

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

Senators Kidani, San Buenaventura, and Inouye.

Managers on the part of the Senate.

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

Conf. Com. Rep. 162 on H.B. No. 546

The purpose of this measure is to:

- (1) Require complex area superintendents to report directly to the Superintendent of Education; and
- (2) Make appropriations to implement a reorganization of the Department of Education that is informed by a 2015 reorganization chart prepared by the Department, which redistributes positions and dissolves:
 - (A) The Office of Strategy, Innovation, and Performance; and
 - (B) The Office of information Technology Services.

Your Committee on Conference finds that currently, the complex area superintendents report to the Deputy Superintendent of Education. There is a concern that the Superintendent of Education does not consistently communicate with or receive all feedback from the complex area superintendents. This measure will streamline communication between the complex superintendents and the Superintendent of Education.

Your Committee on Conference has amended this measure by:

- (1) Removing language appropriating funds for the Department of Education to implement the reorganization plan prepared by the Department;
- (2) Inserting language that requires the Department of Education's Office of Information Technology Services to submit a report to the Legislature providing an explanation of how the Office of Information Technology Services will be restructured in the next biennium;
- (3) Inserting language that the Department of Education's Office of Strategy, Innovation, and Performance to submit a report to the Legislature providing an explanation of how the Office of Strategy, Innovation, and Performance will be restructured in the next biennium;
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency; and
- (5) Changing the effective date to upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 546, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 546, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Nakashima, Cullen, and Okimoto.

Managers on the part of the House.

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

Senators Kidani, Kanuha, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 163 on H.B. No. 1376

The purpose of this measure is to provide a fair and balanced procedure for landlords and tenants to seek rental assistance and mediate and negotiate resolutions before landlords evict tenants. Specifically, this measure:

- (1) Extends from five business days to fifteen calendar days the period for a notice of termination of a lease agreement for failure to pay rent;
- (2) Requires landlords to include certain content in the fifteen-calendar day notice;
- (3) Requires landlords to engage in mediation and delay filing an action for summary possession if a tenant schedules or attempts to schedule a mediation;
- (4) Restricts when landlords may exercise remedies based on the number of days that have elapsed following the expiration of the Governor's final eviction moratorium and the amount of rent due;
- (5) Provides for the expungement and sealing of court records of eviction judgments for failure to pay rent that are entered during the one-year period following the expiration of the Governor's final eviction moratorium; and
- (6) Repeals the amendments made to the Residential Landlord-Tenant Code one year after the expiration of the Governor's final eviction moratorium.

Your Committee on Conference has amended this measure by:

- (1) Specifying that the notice is to contain a statement that the mediation center will confirm the scheduled date and time of the mediation with the tenant and landlord;
- (2) Limiting the remedies a landlord may seek for a tenant's failure to pay rent to a summary proceeding for possession;
- (3) Allowing landlords to bring summary proceedings for possession beginning on the first day, rather than the third day, after the expiration date of the Governor's final eviction moratorium;
- (4) Deleting language that provided for the expungement and sealing of court records of eviction judgments;
- (5) Inserting appropriations to the counties from federal funds received pursuant to the American Rescue Plan Act of 2021 to contract for services permitted by this measure related to emergency rental assistance;
- (6) Changing the effective date to upon approval;
- (7) Specifying that the amendments to the Residential Landlord-Tenant Code made by this measure are to be repealed on December 31, 2022, or upon the one year anniversary of the expiration date of the final eviction moratorium identified by the Governor, whichever is sooner; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1376, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1376, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Luke, and Matsumoto.

Managers on the part of the House.

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

Senators Baker, English, and Rhoads.

Managers on the part of the Senate.

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

Conf. Com. Rep. 164 on H.B. No. 264

The purpose of this measure is to:

- (1) Regulate the operations of transportation network companies in the State and establish a permitting process for these companies within the Department of Transportation; and
- (2) Make permanent the motor vehicle insurance requirements for transportation network companies and transportation network company drivers enacted by Act 236, Session Laws of Hawaii 2016.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have established a regulation and permitting process for transportation network companies in the State;
- (2) Extending to September 1, 2023, the motor vehicle insurance requirements for transportation network companies and transportation network company drivers, rather than making the insurance requirements permanent;
- (3) Changing the effective date to upon approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 264, H.D. 1, S.D. 3, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 264, H.D. 1, S.D. 3, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Cullen, and Matsumoto.

Managers on the part of the House.

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

Senators Lee, Baker, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 165 on H.B. No. 891

The purpose of this measure is to repeal the existing ban on electric guns and establish a regulatory framework for electric guns.

Your Committee on Conference has amended this measure by:

- (1) Removing unnecessary references to January 1, 2022, in the new statutory language proposed by this measure; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 891, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 891, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Nakashima, Cullen, and Matsumoto.

Managers on the part of the House.

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

Senators Rhoads, Lee, Keohokalole, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 166 on H.B. No. 485

The purpose of this measure is to increase the amount of the rental motor vehicle surcharge tax.

Your Committee on Conference has amended this measure by:

- (1) Inserting language that, beginning January 1, 2022, and each subsequent year on January 1 until December 31, 2027, increases the rental motor vehicle surcharge tax by \$0.50;
- (2) Exempting the imposition of the rental motor vehicle surcharge tax for persons whose vehicles have been stolen and are unrecovered or will not be repaired due to total loss;
- (3) Changing the effective date to upon approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 485, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 485, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Johanson, Cullen, Yamashita, and Matsumoto.

Managers on the part of the House.

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

Senators Lee, Inouye, and English.

Managers on the part of the Senate.

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

Conf. Com. Rep. 167 on H.B. No. 424

The purpose of this measure is to require all state agencies, when renting a vehicle on behalf of a state employee conducting official government business, to adopt a preference for renting electric vehicles or hybrid vehicles; provided that the vehicles are suitable for the specific travel requirements and available when needed.

Your Committee on Conference finds that Hawaii currently has over one million gasoline-powered vehicles on its roads, which emit nearly five million metric tons of climate-changing carbon pollution annually. Some of these vehicles are used by government employees in the performance of their duties. Your Committee on Conference notes that the intent of this measure is to ensure that electric vehicles and hybrid vehicles are offered to the State at market rates. Your Committee on Conference further finds that electric vehicles will play an important role in the State's clean energy future and meeting the goals set for Hawaii in reducing its greenhouse gas emissions. Your Committee on Conference believes that requiring state agencies to prioritize the rental of electric vehicles will put the agencies at the forefront of energy independence and greenhouse gas emissions reduction efforts.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 424, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 424, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives McKelvey, Johanson, Wildberger, and Ward.

Managers on the part of the House.

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

Senators Moriwaki, Baker, and Kidani.

Managers on the part of the Senate.

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

Conf. Com. Rep. 168 on H.B. No. 526

The purpose of this measure is to:

- (1) Define "past performance" with regard to contractors;
- (2) Require the State Procurement Office to implement and administer a past performance database by December 31, 2023, including adopting rules regarding the information to be included in the past performance database and procedures for informing contractors of, and permitting corrections or responses to, the information contained in the database;
- (3) Require procurement officers to consider specific factors when making contract awards, including past performance, when available; and
- (4) Appropriate funds for the development, implementation, and training for certain procurement resources tools, including a past performance guide and past performance database.

Your Committee on Conference finds that the State's procurement process requires clear legislative direction to award contracts to responsible bidders or offerors to increase accountability, enhance performance, and utilize taxpayer dollars more efficiently. Your Committee on Conference further finds that currently, some state contracts may be awarded to the lowest bidder without regard to that bidder's poor past performance, which may lead to these bidders being considered qualified despite their poor past performance and result in repeated inefficiencies and substandard work. Your Committee on Conference believes consideration of past performance of a bidder will offer another level of consideration and diligence in evaluating responsibility, provide additional insight to positively impact the award selection, enhance quality performance, and efficiently and effectively utilize taxpayer dollars.

Your Committee on Conference has amended this measure by:

- (1) Removing the appropriation;
- (2) Changing the effective date to upon its approval; and

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 526, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 526, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives McKelvey, Matayoshi, Wildberger, and Ward.

Managers on the part of the House.

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

Senators Moriwaki, Kanuha, and Chang.

Managers on the part of the Senate.

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

Conf. Com. Rep. 169 on H.B. No. 1296

The purpose of this measure is to:

- (1) Repeal the Hawaii Tobacco Prevention and Control Trust Fund on June 30, 2025;
- (2) Specify that the Hawaii Tobacco Settlement Special Fund monies shall only be deposited into the University Revenue-Undertakings Fund until July 1, 2033;
- (3) Prohibit any contract for the management of the Hawaii Tobacco Prevention and Control Trust Fund monies from extending beyond June 30, 2025; and
- (4) Transfer all unencumbered monies remaining in the Hawaii Tobacco Prevention and Control Trust Fund on June 30, 2025, to the general fund.

Your Committee on Conference has amended this measure by:

- (1) Establishing a \$4,300,000 expenditure cap on the Hawaii Tobacco Settlement Fund;
- (2) Requiring the Department of Health to provide a report to the legislature on the expenditure of monies in the Hawaii Tobacco Prevention and Control Trust Fund no later than twenty days prior to the convening of the Regular Sessions of 2022, 2023, 2024, 2025, and 2026;
- (3) Inserting an emergency appropriation to address budget shortfalls relating to payroll and other current expenses for the State Comprehensive Emergency Medical Services System;
- (4) Inserting an appropriation to fund and establish two permanent and five temporary full-time equivalent positions in the Office of the Governor;
- (5) Requiring all departments, including the University of Hawaii, to reimburse the State for the fringe benefit costs of employees whose positions are funded by a special fund, rather than the general fund;
- (6) Specifying that the cigarette tax revenues deposited to the credit of the Cancer Research Special Fund shall only be used for capital expenditures and only until July 1, 2041;
- (7) Ceasing deposits of cigarette tax revenues into the Emergency Medical Services Special Fund on July 1, 2021;
- (8) Establishing a Threat Assessment Team Program within Hawaii State Fusion Center of the Office of Homeland Security;
- (9) Inserting an appropriation to fund a statutorily established administrative assistant position in the Department of Human Resources Development;
- (10) Changing the effective date to July 1, 2021; and
- (11) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1296, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1296, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Takayama, Luke, and Ward.

Managers on the part of the House.

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

Senators Keohokalole, Kim, Dela Cruz, San Buenaventura, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 170 on H.B. No. 468

The purpose of this measure is to:

- (1) Temporarily suspend the requirement for public employers to make annual required contributions to the Hawaii Employer-Union Health Benefits Trust Fund through fiscal year 2024-2025; and
- (2) Require the Hawaii Employer-Union Health Benefits Trust Fund to:
 - (A) Examine and assess possible means to offset the future increase in the State's annual required contributions resulting from the temporary suspension, including the impacts of eliminating the state and county employers' obligations to reimburse Medicare Part B premiums to spouses of employee-beneficiaries who are hired after a specific future date; and
 - (B) Submit a report of its findings and recommendations, including any proposed legislation, to the Legislature prior to the convening of the Regular Session of 2022.

Your Committee on Conference has amended this measure by:

- (1) Temporarily suspending the requirement for public employers to make annual required contributions to the Hawaii Employer-Union Health Benefits Trust Fund for two fiscal years, rather than four;

- (2) Removing the requirements that the Hawaii Employer-Union Health Benefits Trust Fund examine and assess possible means to offset the future increase in the State's annual required contributions resulting from the temporary suspension and submit a report to the Legislature;
- (3) Changing the effective date to July 1, 2021; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 468, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 468, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Onishi, Luke, D. Kobayashi, and Okimoto.

Managers on the part of the House.

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

Senators Taniguchi, Dela Cruz, and Chang.

Managers on the part of the Senate.

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

Conf. Com. Rep. 171 on H.B. No. 930

The purpose of this measure is to ensure that the Employees' Retirement System is not disadvantaged as a competitive investor by exempting the Employee's Retirement System from disclosing under the Uniform Information Practices Act, Chapter 92F, Hawaii Revised Statutes, certain types of alternative investment fund information.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 930, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 930, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Onishi, Sayama, and Okimoto.

Managers on the part of the House.

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

Senators Taniguchi, Keith-Agaran, and Rhoads.

Managers on the part of the Senate.

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

Conf. Com. Rep. 172 on H.B. No. 58

The purpose of this measure is to amend the estate and generation-skipping transfer tax, general excise tax, use tax, and conveyance tax.

Specifically, the measure:

- (1) Temporarily reallocates conveyance tax revenues for purposes of paying the principal and interest of general obligation bonds;
- (2) Authorizes the issuance of general obligation bonds to be appropriated into and out of the land conservation fund and rental housing revolving fund;
- (3) Changes the estate tax exclusion to \$3,500,000 for decedents dying or taxable transfers occurring after June 30, 2021;
- (4) From July 1, 2021, through June 30, 2023, temporarily suspends certain general excise and use tax exemptions;
- (5) Provides a grandfathering provision from the suspension of general excise and use tax exemptions;
- (6) Requires information reporting for all general excise and use tax exemptions and exclusions; and
- (7) Increases conveyance tax rates for the sale of properties valued at \$4,000,000 or greater.

Your Committee on Conference finds that the intent of this measure is to make the State's tax structure more equitable and to generate funds to support critical services.

Your Committee on Conference has amended this measure by:

- (1) Removing provisions that temporarily reallocate conveyance tax revenues for purposes of paying the principal and interest of general obligation bonds;
- (2) Removing provisions that authorize the issuance of general obligation bonds to be appropriated into and out of the land conservation fund and rental housing revolving fund;
- (3) Removing provisions that change the estate tax exclusion to \$3,500,000 for decedents dying or taxable transfers occurring after June 30, 2021;
- (4) Applying the suspension of general excise and use tax exemptions to the period beginning January 1, 2022, and ending December 31, 2023;
- (5) Removing from the list of suspended general excise tax exemptions:
 - (A) A general excise tax exemption related to high technology research and development grants;
 - (B) A general excise tax exemption related to the refining of petroleum products; and
 - (C) A general excise tax exemption related to shipbuilding and ship repairs;
- (6) Maintaining current conveyance tax rates for the sale of commercial properties; and
- (7) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 58, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 58, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Nakamura, Luke, Hashimoto, and McDermott.

Managers on the part of the House.

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

Senators Dela Cruz, Kidani, Moriwaki, and Wakai.

Managers on the part of the Senate.

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

Conf. Com. Rep. 173 on H.B. No. 774

The purpose of this measure is to:

- (1) Establish a Pulehunui Community Development District to redevelop, renovate, and improve public lands in Pulehunui, Maui;
- (2) Amend the composition and duties of the Hawaii Community Development Authority;
- (3) Establish Community Development District Authority Boards to govern each of the community development districts; and
- (4) Reassign certain powers and duties from the Hawaii Community Development Authority to the Community Development District Authority Boards.

Your Committee on Conference has amended this measure by:

- (1) Modifying the manner in which Community Development District Authority Board members are appointed and the term of the director of planning and permitting member;
- (2) Making the Director of Finance, Director of Transportation, and Director of the Office of Planning, or their designees, voting members of the Community Development District Authority Boards and the Hawaii Community Development Authority and making their terms on each board run concurrently with their official terms of office;
- (3) Adding as members of the Hawaii Community Development Authority two at-large members with expertise in urban planning, infrastructure, or financing;
- (4) Granting the Hawaii Community Development Authority exclusive power to make and alter bylaws for the organization and internal management of itself and District Authority Boards;
- (5) Removing the requirement that in making the initial appointments to the Community Development District Authority Boards, the Governor must strive to retain each existing member of the Hawaii Community Development Authority and place them on a Community Development District Authority Board;
- (6) Requiring all rules, policies, procedures, guidelines, and other materials adopted or developed by the Hawaii Community Development Authority prior to July 1, 2022, that implement provisions of the Hawaii Revised Statutes to remain in full force and effect until amended or repealed;
- (7) Requiring all actions taken by the Hawaii Community Development Authority prior to July 1, 2022, to remain in full force and effect until amended or repealed;
- (8) Changing the effective date of certain portions of this measure to July 1, 2021, and all other portions to July 1, 2022; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 774, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 774, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Yamashita, and McDermott.

Managers on the part of the House.

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

Senators Wakai, Inouye, and Moriwaki.

Managers on the part of the Senate.

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

Conf. Com. Rep. 174 on H.B. No. 1348

The purpose of this measure is to:

- (1) Establish the Stadium Development Special Fund in chapter 109, Hawaii Revised Statutes;
- (2) Provide for the abolishment of the Stadium Special Fund;
- (3) Revise the general development guidance policies for the Stadium Development District and clarify the respective roles of the Stadium Authority and Hawaii Community Development Authority in the development of the Stadium Development District;
- (4) Broaden the powers and duties of the Stadium Authority, including authorizing the Stadium Authority to acquire and hold title to real property;
- (5) Exempt land to which the Stadium Authority holds title from the definition of "public lands";
- (6) Authorize the Stadium Authority, with approval from the Governor, to delegate to other state agencies implementation of capital improvement projects, under certain conditions;
- (7) Add two members to the Stadium Authority, including the President of the University of Hawaii, or the President's designee, who will serve as a voting member of the Stadium Authority;
- (8) Amend the general bond authorization made by Act 268, Session Laws of Hawaii 2019;
- (9) Allow the Stadium Authority, with the approval of the Governor, to delegate to other state agencies the implementation of projects when it is determined advantageous to do so by the Stadium Authority as the original expending agency and the other state agency to which expending authority is to be delegated; and

(10) Make the financial disclosures of members of the Stadium Authority public records.

Your Committee on Conference has amended this measure by:

- (1) Amending the boundary descriptions of the areas to be represented by certain members of the Stadium Authority;
- (2) Making the President of the University of Hawaii a nonvoting member of the Stadium Authority;
- (3) Removing the exemption of the Stadium Authority from the public notice, public hearing, and gubernatorial approval requirements of chapter 91, Hawaii Revised Statutes, in establishing or amending fees or charges that generate receipts for deposit into the Stadium Development Special Fund;
- (4) Removing the proposed special facilities powers of the Stadium Authority under chapter 206E, Hawaii Revised Statutes, to assist in the development of projects under the control of other public agencies;
- (5) Authorizing the Stadium Authority to transfer funds to implement projects delegated to other state agencies, under certain circumstances;
- (6) Removing the authorization of the Director of Finance to issue general obligation bonds in the sum of \$180,000,000 and removing the appropriation of funds to the Stadium Authority for the Stadium Development District;
- (7) Changing its effective date to upon its approval; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

It is the intent of your Committee on Conference that the rights and benefits of current civil service employees shall not be diminished or impaired, including but not limited to their rights to collective bargaining and civil service employment. However, the Stadium Authority has the flexibility to hire upper-management positions that are exempt from chapters 76 and 89, Hawaii Revised Statutes.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1348, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1348, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Luke, Yamashita, and McDermott.

Managers on the part of the House.

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

Senators Wakai, Inouye, Dela Cruz, Misalucha, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 175 on H.B. No. 499

The purpose of this measure is to authorize the Board of Land and Natural Resources to extend certain commercial, industrial, resort, mixed-use, or government leases that have not been assigned or transferred within the last ten years for lessees who commit to making substantial improvements to the existing improvements.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 499, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 499, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Johanson, Cullen, and McDermott.

Managers on the part of the House.

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

Senators Inouye, Keith-Agaran, Misalucha, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 176 on H.B. No. 469

The purpose of this measure is to address the management of certain non-agricultural park lands under the control of the Department of Land and Natural Resources by:

- (1) Requiring the Department of Agriculture to inquire about any easements needed by the Department of Land and Natural Resources before offering a lease;
- (2) Requiring the Department of Land and Natural Resources and Department of Agriculture to meet and identify by mutual agreement the non-agricultural park lands under the jurisdiction of the Department of Land and Natural Resources and in agricultural use that should remain under the jurisdiction of the Department of Land and Natural Resources;
- (3) Requiring non-agricultural park lands under the jurisdiction of the Department of Land and Natural Resources and in agricultural use and not identified pursuant to paragraph (2) to be placed under the Department of Agriculture's jurisdiction;
- (4) Requiring the Department of Land and Natural Resources and Department of Agriculture to meet at least every five years to discuss transferring the remaining lands;
- (5) Requiring the Department of Land and Natural Resources to report to the Legislature on its meetings with the Department of Agriculture regarding the progress and status of transferring non-agricultural park lands; and
- (6) Authorizing the Board of Land and Natural Resources to amend and extend existing pasture leases and to issue new pasture leases by negotiation in furtherance of public purposes that the Department of Land and Natural Resources and Department of Agriculture are responsible for promoting.

Your Committee on Conference has amended this measure by:

- (1) Deleting its contents and establishing a working group to:

- (A) Ascertain the process and status of the transfer of non-agricultural park lands from the Department of Land and Natural Resources to the Department of Agriculture pursuant to Act 90, Session Laws of Hawaii 2003, and chapter 166E, Hawaii Revised Statutes, regarding non-agricultural park lands; and
 - (B) Determine the challenges and potential remedies necessary to facilitate the process of fulfilling the purposes of Act 90, Session Laws of Hawaii 2003; and
- (2) Changing its effective date to upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 469, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 469, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Cullen, and McDermott.

Managers on the part of the House.

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

Senators Inouye, Gabbard, Kanuha, Rhoads, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 177 on H.B. No. 1142

The purpose of this measure is to:

- (1) Allocate 3 cents of the environmental response, energy, and food security tax, also known as the barrel tax, to fund the installation of electric vehicle charging systems; and
- (2) Establish an Electric Vehicle Charging System Subaccount within the Public Utilities Commission Special Fund.

Your Committee on Conference has amended this measure by:

- (1) Amending the preamble to emphasize the urgent need for electric vehicle infrastructure;
- (2) Clarifying that the \$1,000,000 ceiling for the Public Utilities Commission Special Fund shall not apply to the Electric Vehicle Charging System Subaccount;
- (3) Appropriating \$100,000 into and out of the Electric Vehicle Charging System Subaccount for the Electric Vehicle Charging System Rebate Program;
- (4) Authorizing each county to adopt ordinances to enforce section 291-71, Hawaii Revised Statutes, including the establishment of penalties for failure to comply with the requirements of that section or maintain electric vehicle charging systems in working order;
- (5) Establishing penalties for parking any vehicle in a parking space equipped with an electric vehicle charging system while not actively charging;
- (6) Beginning January 1, 2022, requiring new electric vehicle charging systems installed pursuant to the electric vehicle charging system requirement to be at least Level 2 and network-capable;
- (7) Requiring electric vehicle charging systems to be maintained in working order;
- (8) Clarifying that certain enforcement officers may enter private property to enforce electric vehicle parking space violations;
- (9) Inserting a savings clause;
- (10) Changing the effective date to July 1, 2021, and removing the sunset date; and
- (11) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1142, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1142, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Johanson, Marten, and Matsumoto.

Managers on the part of the House.

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

Senators Lee, Wakai, and Inouye.

Managers on the part of the Senate.

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

Conf. Com. Rep. 178 on H.B. No. 185

The purpose of this measure is to appropriate funds for the operating and capital improvement costs of the Judiciary for fiscal biennium beginning July 1, 2021, and ending June 30, 2023.

Your Committee on Conference has amended this measure by inserting appropriate operating and capital amounts for fiscal biennium 2021-2023.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 185, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 185, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Luke, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Dela Cruz, and Fevella.

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

Conf. Com. Rep. 179 on H.B. No. 204

The purpose of this measure is to appropriate funds for fiscal biennium 2021-2023 operating budget of the Office of Hawaiian Affairs.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 204, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 204, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Luke, and Ward.

Managers on the part of the House.

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

Senators Shimabukuro, Dela Cruz, Keohokalole, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 180 on H.B. No. 200

PART I. OVERVIEW

This measure, as received, includes:

- (1) The base budget from Act 9, Session Laws of Hawaii (SLH) 2020;
- (2) The addition of previously appropriated collective bargaining amounts in prior acts;
- (3) The adjustment amounts necessary to fulfill the Employees' Retirement System, Employer-Union Health Benefits Trust Fund, debt service, and Medicaid requirements for the 2021-2023 biennium;
- (4) The reduction of non-recurring amounts identified in the 2020 and 2021 executive budget worksheets issued by the Legislature; and
- (5) Various reductions for critical government services.

Your Committee on Conference has amended this measure to include:

- (1) The approved executive requests for trade-offs, transfers, changes to means of financing, conversions of positions from temporary to permanent, ceiling increases or decreases, and reductions;
- (2) Additional funding for critical government services;
- (3) Appropriations of American Rescue Plan Act of 2021 funds; and
- (4) Adjustments to meet federal Maintenance of Effort requirements.

	Fiscal Year 2021-2022		Fiscal Year 2022-2023	
	All Funds	General Funds	All Funds	General Funds
Executive Budget Act 9, SLH 2020	\$15,672,211,865	\$8,026,960,067	\$15,672,211,865	\$8,026,960,067
Executive Budget Request	\$15,416,743,597	\$7,685,972,117	\$15,521,316,276	\$7,798,266,153
Net Change in Conference Draft	\$229,056,855	(\$602,042,663)	(\$410,576,386)	(\$525,767,306)
Total Appropriation	\$15,901,268,720	\$7,424,917,404	\$15,261,635,479	\$7,501,192,761

PART II. GENERAL FUND REVENUES AND ECONOMY

The Council on Revenues increased its general fund tax revenue projection at both its January 2021 and March 2021 meetings.

When the Council met, their forecast assumed the passage of the \$1.9 trillion Federal stimulus bill (the American Rescue Plan Act of 2021). The Council's forecast also assumed that Hawaii's economy will continue to open up steadily without significant regulatory restrictions and shutdowns affecting businesses and individuals, and that travel restrictions will continue to become more relaxed and visitor arrival numbers will return to relatively normal levels in the near future.

The Council's fiscal year 2021 forecast considered and discussed the fiscal impacts of the delay in the income tax filing deadline from April 2020 to July 2020, which resulted in a shift of approximately \$308 million from fiscal year 2020 to fiscal year 2021 and the adverse impact on tax collections due to businesses affected by the 2020 pandemic shutdown and restrictions. The Council acknowledged that economic activity continues its upward trajectory since the last shutdown in September 2020. In addition, the Council discussed the impacts of the American Rescue Plan Act of 2021 that it expected to be passed in March 2021 and the taxation of benefits received from Unemployment Insurance and the Pandemic Unemployment Assistance (PUA) program.

The Council acknowledged that the coronavirus disease 2019 (COVID-19) continues to represent a serious risk to public health and the State's economy. Future tax revenues are highly dependent on the trajectory of the virus, new variants, the availability and efficacy of vaccines, rapid low-cost testing, and the state, county, and federal governments' ability to manage health risks while at the same time supporting economic activities. Given the prominent role of tourism in Hawaii's economy, the number of visitors to the State will have major impacts on the economy and tax collections. The Council recognized that international visitor arrivals may lag domestic visitor arrivals since certain other countries are behind the United States in their vaccination programs.

The new forecasts for the state general fund tax revenues for fiscal year 2021 through fiscal year 2027 are shown in the table below:

Fiscal Year	General Fund Tax Revenues	
	Amount (in Thousands of Dollars)	Growth From Previous Year
2021	\$6,527,438	-2.5%
2022	\$6,788,536	4.0%
2023	\$7,060,077	4.0%

2024	\$7,342,480	4.0%
2025	\$7,599,467	3.5%
2026	\$7,865,448	3.5%
2027	\$8,140,739	3.5%

PART III. OPERATING BUDGET

Your Committee on Conference has worked diligently to create a responsible financial plan that includes a budget that continues to fund critical services and programs. The conference draft approach to balancing the budget included considering the Council on Revenues' General Fund Forecast, allocating federal funds received from the American Rescue Plan Act of 2021, implementing revenue enhancements, sweeping excess special funds to the general fund, and strategic restructuring, reductions and cuts.

American Rescue Plan Act of 2021

Given the significant constriction of state revenues, your Committee on Conference had the daunting task of balancing the state budget. Your Committee on Conference strategically allocated American Rescue Plan Act of 2021 (ARPA), Public Law 117-2, funds to retain critical services and provide for various other one-time costs. Numerous federal requirements, restrictions, and limitations were placed on how ARPA funds could be spent by the states. With limited guidance from the Department of Budget and Finance and the federal government, your Committee on Conference carefully allocated those funds based on the guidance available.

The Conference Draft of the executive budget includes the following amounts in ARPA funds:

- (1) \$160,020,792 in fiscal year 2022 and \$153,659,250 in fiscal year 2023 to repay a working capital loan;
- (2) \$252,391 in fiscal year 2022 and \$5,091,175 in fiscal year 2023 to repay the federal unemployment insurance loan interest payable to ensure it does not become a long-term financial burden;
- (3) \$700,000,000 in fiscal year 2022 to repay the unemployment insurance loan principal to ensure it does not become a long-term financial burden;
- (4) \$32,315,400 in each fiscal year for the operations of the Hawaii Health Systems Corporation hospitals statewide;
- (5) \$11,585,000 in fiscal year 2022 and \$8,923,000 in fiscal year 2023 for Maui Health System operating subsidy;
- (6) \$2,383,931 in fiscal year 2022 for Family Health Services and perinatal support services;
- (7) \$1,500,000 in fiscal year 2022 for Senior Centers' contracted services;
- (8) \$6,180,433 in fiscal year 2022 for staffing at the Hawaii State Hospital's new forensics unit;
- (9) \$345,000 in each fiscal year for Health Resources Administration;
- (10) \$307,775 in fiscal year 2022 and \$635,350 in fiscal year 2023 for Worker's Compensation Claims to comply with Workers' Compensation Law (Chapter 386) and its related rules and regulations;
- (11) \$275,000 in fiscal year 2022 for Unemployment Insurance Benefits to be in compliance with Section 383-62(b) Hawaii Revised Statutes;
- (12) \$875,000 in fiscal year 2022 for Rapid Ohia Death Response to protect an important cultural and ecological mainstay;
- (13) \$120,000 in each fiscal year for the Native Resources and Fire Protection Program;
- (14) \$1,200,000 in fiscal year 2022 to fund economic analysis at the University of Hawaii Economic Research Organization;
- (15) \$4,000,000 in each fiscal year for Economic Planning and Research;
- (16) \$11,000,000 in each fiscal year for Convention Center operations;
- (17) \$1,000,000 in fiscal year 2022 to support a Sea Urchin Hatchery working to properly care and restore an important part of the local ecosystem and economy;
- (18) \$2,548,290 in fiscal year 2022 for Conservation and Resources Enforcement;
- (19) \$431,937 in each fiscal year for the Disability Compensation Program for the Disability Compensation Program's modernization project;
- (20) \$70,000,000 in fiscal year 2022 and \$35,000,000 in fiscal year 2023 for the Unemployment Insurance Program Call Center to more efficiently provide unemployment insurance services;
- (21) \$9,700,000 in each fiscal year for centralized vacation payout statewide;
- (22) \$5,400,000 in fiscal year 2022 to maintain general assistance payments and help prevent homelessness and increase health and safety for unemployable individuals with disabilities;
- (23) \$500,000 in fiscal year 2022 for the Rental Supplement Program (RSP) to maintain the current assistance to low-income families;
- (24) \$832,500 in each fiscal year to retain in-community youth programs to allow for continued services;
- (25) \$520,000 in each fiscal year for operations at the Hawaii Youth Correctional Facility;
- (26) \$134,000 in fiscal year 2022 and \$1,137,000 in fiscal year 2023 for KOLEA maintenance and operations; and
- (27) \$14,300,000 in each fiscal year for homeless services, including the Housing First Program, Rapid Re-Housing Program, Family Assessment Centers, Homeless Outreach and Civil Legal Services, and the Stored Property and Debris Removal Program.

Your Committee on Conference worked diligently to meet the proportional maintenance of effort funding requirements established under ARPA. Many hours were spent to ascertain accurate appropriations to the University of Hawaii, Department of Education, and all other state departments. The federal maintenance of effort requirements mandate the State to provide proportional funding in fiscal years 2022 and 2023 to elementary and secondary education, and higher education relative to overall state funding over fiscal years 2017, 2018, and 2019. The State faced economic hardships engendered by the COVID-19 pandemic. Your Committee on Conference presents a budget that meets the MOE.

The Conference Draft of the executive budget also appropriates Elementary and Secondary School Emergency Relief (ESSER) funds to maintain personnel previously identified by the Executive branch for reduction and to maintain the Office of Strategy, Innovation and Performance.

Strategic Reorganizations, Consolidations, and Restructuring

Your Committee on Conference believes it is important to continuously evaluate the structure of government and identify efficiencies and reduce duplication. Where applicable, government agencies should be working with each other to provide services to Hawaii's residents. With that in mind, and incorporating each department's executive budget requests, your Committee on Conference reduced vacant positions, changed means of financing for certain programs, and restructured, eliminated, or consolidated departments and programs to align with the State's goals and priorities and achieve greater effectiveness and efficiencies.

The Conference Draft of the executive budget makes the following major adjustments:

- (1) Consolidates the Land Use Commission, the Office of Environmental Quality Control, and the Office of Planning into a new budget program retitled as the Office of Planning and Sustainable Development;
- (2) Transfers 10.00 permanent positions from the Department of Labor and Industrial Relations' Research and Statistics Office (LBR901) to Economic Planning and Research (BED130) to consolidate research and statistics functions;
- (3) Transfers 2.00 permanent and 5.00 temporary positions from the Hawaii Tourism Authority (BED113) Tourism Research Office to Economic Planning and Research (BED130) to further consolidate research functions;
- (4) Creates new program IDs and transfers personnel and funds to Hawaii Army and Air National Guard (DEF116) and Hawaii Emergency Management Agency (DEF118) from Amelioration of Physical Disasters (DEF110);
- (5) Transfers the Department of Education's Office of Information Technology Services from State Administration (EDN300) to School Support (EDN400);
- (6) Creates a new program ID and transfers the UH Cancer Center from UH Manoa (UOH100) to UH Cancer Center (UOH115);
- (7) Transfers and consolidates 7.00 permanent positions, \$6,500,000 in federal funds, and \$464,372 in general funds from the Workforce Development Council to the Workforce Development Division to retain the positions while consolidating the duties into a single office;
- (8) Converts positions and programs funded by the Agricultural Development and Food Security Special Fund and the Agricultural Loan Reserve Fund to general funds in coordination with HB1298 and HB1299;
- (9) Converts 68.00 permanent positions in the Department of Agriculture's Plant Industry Division to the Pest Inspection, Quarantine, and Eradication Fund;
- (10) Converts 6.00 temporary positions in the Agribusiness Development Corporation from the Hawaii Agricultural Development Revolving Fund to general funds; and
- (11) Converts the Conservation and Resources Enforcement Special Fund, which receives funds from the Boating Special Fund, to general funds.

Your Committee on Conference understands that there are many competing needs that the State must address. Your Committee on Conference recognizes the State's role in overseeing and managing a range of services for our kupuna; addressing issues surrounding homelessness; investing in the development of affordable housing; funding early learning and kindergarten through grade twelve education, early college programs, and the Hawaii Promise program; and scaling alternative education and trauma informed care programs statewide.

The Conference Draft of the executive budget includes the following major adjustments:

- (1) Changing means of financing from \$2,687,824 in general funds to \$2,687,824 in federal funds for Kupuna Care and Aging Disability Resource Center;
- (2) Adding \$50,000,000 in revolving funds to Environmental Management Branch for Sewerage;
- (3) Adding \$3,200,000 in special funds in both fiscal years for Developmental Disabilities' Medicaid Waiver Administrative Claiming Special Fund;
- (4) Restoring \$3,110,946 in general funds for fiscal year 2022 for the Native Resources and Fire Protection Program to ensure proper care for the local environment;
- (5) Adding \$1,459,440 in general funds for 30.00 permanent Conservation and Resource Enforcement Officers to ensure proper protection and coverage for lands under their jurisdiction;
- (6) Adding \$771,980 in general funds for 12.00 unfunded permanent positions for Conservation and Resources Enforcement;
- (7) Restoring 6.00 permanent positions and funds for the Office of the Civil Rights Commission to provide proper legal counsel for the State's marginalized communities;
- (8) Restoring \$1,043,780 in general funds for the Office of Community Services to provide essential services to communities;
- (9) Restoring \$5,000,000 for the Harbors Division Special Maintenance Projects to ensure a continuation of construction related projects;
- (10) Adding \$24,111,848 in special funds for fiscal year 2022 and \$24,911,848 in special funds for fiscal year 2023 for Daniel K. Inouye International Airport to ensure the airport is in proper working condition as travel begins to reopen;
- (11) Restoring funds for sex abuse treatment, which would have had evening and weekend services eliminated under the proposed executive budget;
- (12) Funding the Tax System Modernization, providing greater effectiveness, efficiency, and automation;
- (13) Increasing ceiling for the Compliance Resolution Fund to allow for repairs needed for the King Kalakaua building;
- (14) Increasing ceiling for the Compliance Resolution Fund to allow for funds to be used for data integration across various divisions and departments;
- (15) Increasing ceiling for Compliance Resolution Fund to allow for funds to be used for the 5th VX Rail Server for UH Data Center which hosts DCCA virtual servers and maintains IT security;
- (16) Adding funds for childcare payments and childcare block grant to maintain the level of services and care currently being provided;
- (17) Restoring Hilo Youth Challenge Academy, a community-based program that leads, trains, and mentors youth so that they may become productive citizens;
- (18) Adding \$250,000 for a proof-of-concept for the High Core Program, \$611,450 and 7.00 permanent positions for Papahana 'O Kaiona Alternative Learning Center (ALC), and \$3,000,000 in fiscal year 2022 and \$6,000,000 in fiscal year 2023 to expand Alternative Learning Programs across the State;
- (19) Adding \$676,222 in fiscal year 2022 for the Crime Victim Compensation Program; and
- (20) Restoring \$30,326,848 in fiscal year 2022 and \$35,926,848 in fiscal year 2023 of University of Hawaii program review reductions across all programs.

PART IV. CAPITAL IMPROVEMENTS PROGRAM BUDGET

Your Committee on Conference finds an opportunity to invest in the State's infrastructure while remaining fiscally prudent.

The Administration requested a capital improvement budget that totaled:

ADMINISTRATION	FY 2022	FY 2023
General Obligation Bonds	\$679,393,000	\$512,128,000
All Means of Financing	\$1,236,328,000	\$1,116,254,000

Your Committee on Conference has amended this budget to appropriate the following in capital improvement funds:

CONFERENCE	FY 2022	FY 2023
General Obligation Bonds	\$984,796,000	\$294,105,000
American Rescue Plan Act Funds	\$110,109,000	\$-
All Means of Financing	\$1,756,366,000	\$929,231,000

The projects funded are for critical infrastructure throughout the State.

The Conference Draft invests a substantial amount in projects improving and enhancing accessibility for rural communities, especially public schools and libraries to support virtual operations and distance learning:

- (1) \$14,163,000 in American Rescue Plan Act Funds and General Obligation Bond Funds for broadband and technology improvements for Hawaii Department of Education Schools, Statewide.
- (2) \$25,000,000 in American Rescue Plan Act Funds for broadband and technology improvements for Hawaii State Public Libraries, Statewide.
- (3) \$26,589,000 in American Rescue Plan Act Funds for ventilation improvements for Schools and Libraries, Statewide.

The draft provides \$458,428,000 in funding for school facilities and \$311,690,000 for the University of Hawaii system:

- (1) \$179,290,000 for improvements for University of Hawaii Statewide.
- (2) \$121,000,000 for improvements for University of Hawaii Community Colleges, Statewide.
- (3) \$3,500,000 for improvements for University of Hawaii at West Oahu.
- (4) \$10,900,000 for University of Hawaii at Hilo.

Your Committee on Conference also allocates \$65,250,000 for public hospital facilities, and \$21,250,000 for improvements for Intensive Care Units and COVID Care Units, Statewide.

The Conference Draft also increases to \$53,000,000 in Fiscal Year 2022 and \$25,000,000 in Fiscal Year 2023 for Department of Hawaiian Home Lands Projects, Statewide.

Your Committee on Conference further authorizes \$493,880,000 for Airports, \$224,907,000 for Harbors, and \$493,008,000 for Highways.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 200, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 200, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Luke, Branco, Cullen, Eli, Holt, Ilagan, B. Kobayashi, Marten, Nishimoto, Perruso, Sayama, Tam, Wildberger, Yamashita, and McDermott.
Managers on the part of the House.

Ayes, 12. Noes, none. Excused, 3 (Branco, Marten, McDermott).

Senators Dela Cruz, Keith-Agaran, English, Inouye, Kanuha, Kidani, Moriwaki, Shimabukuro, Taniguchi, Wakai, and Fevella.
Managers on the part of the Senate.

Ayes, 11. Noes, none. Excused, none.

Conf. Com. Rep. 181 on H.B. No. 53

The purpose of this measure is to authorize the issuance of general obligation bonds and to make the constitutionally-required findings that the bond issuance will not cause the state debt limit to be exceeded.

Your Committee on Conference finds that in accordance with Article VII, section 13, of the Hawaii State Constitution, the total amount of principal and interest, estimated for the general obligation bonds authorized under this measure and for all bonds authorized and unissued and calculated for all bonds issued and outstanding, will not cause the debt limit to be exceeded at the time of issuance.

Your Committee on Conference has amended this measure by:

- (1) Inserting the appropriate dollar amounts throughout the measure as provided by the Department of Budget and Finance;
- (2) Updating the dates and measure numbers cited in the measure;
- (3) Changing the effective date to upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 53, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 53, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Luke, Cullen, and McDermott.
Managers on the part of the House.

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

Senators Keith-Agaran, Kanuha, Wakai, and Fevella.

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

Conf. Com. Rep. 182 on S.B. No. 628

The purpose of this measure is to:

- (1) Commence the transfer of the Oahu Regional Health Care System in its entirety from the Hawaii Health Systems Corporation to the Department of Health, beginning with the transfer of the Oahu Regional Health Care System's budget into the Department of Health;
- (2) Enable the Oahu Regional Health Care System, Department of Health, Hawaii Health Systems Corporation, and other state agencies to implement the processes and transactions required to effectuate the completion of the transition;
- (3) Require the Department of Health to consult with the University of Hawaii regarding services provided at Leahi Hospital and Maluhia, and allow University of Hawaii students to rotate through those facilities for training purposes;
- (4) Authorize the Department of Health to pay rent to the University of Hawaii for the use of the Leahi Hospital property at a rate and on terms to be negotiated between the Department of Health and the University of Hawaii;
- (5) Clarify the rights, powers, and exemptions held by the Oahu Regional Health Care System during the transition period and the rights, powers, and exemptions held by the Inpatient Services Division of the Department of Health following completion of the transfer of the Oahu Regional Health Care System;
- (6) Appropriate moneys from the mental health and substance abuse special fund to expand and operate programs at Leahi Hospital and Maluhia that are mutually advantageous to the Department of Health, the Oahu region, and the State; and
- (7) Authorize the issuance of general obligation bonds and appropriate the proceeds of the bonds for improvements at Leahi hospital and Maluhia.

Your Committee on Conference finds that the Hawaii Health Systems Corporation comprises five semi-autonomous health care regions within the State, one of which is the Oahu Regional Health Care System. However, the Oahu Regional Health Care System is unique because of the limited services its facilities, Leahi Hospital and Maluhia, provide. Your Committee on Conference finds that rather than serving the general population, Leahi Hospital and Maluhia serve primarily long-term care and Medicaid patients and thus operate as de facto safety-net social services. Because the Department of Health operates the Hawaii State Hospital, a facility that does not generate revenue but provides necessary care for mentally ill patients, the Department of Health can better operate Leahi Hospital and Maluhia. This measure commences the transfer of the Oahu Regional Health Care System from the Hawaii Health Systems Corporation to the Department of Health.

Your Committee on Conference has amended this measure by:

- (1) Removing language granting the Director of Health sole decision-making authority over all corporation board matters concerning the Oahu Regional Health Care System during the transition period;
- (2) Clarifying that any transfer of real property pursuant to paragraph (a)(5) of section 323F-7.6, Hawaii Revised Statutes, shall be made to the Department of Land and Natural Resources;
- (3) Removing references to specific budget program codes;
- (4) Requiring the transfer of positions and class specifications of the Oahu Regional Health Care System to the Department of Health to be completed no later than December 31, 2022;
- (5) Removing language authorizing the Inpatient Services Division of the Department of Health to develop policies and procedures for the procurement of goods and services for two years following the completion of the transition;
- (6) Adding members who shall serve in a consultative capacity to the working group;
- (7) Requiring the working group to develop a comprehensive business plan in addition to a transfer framework that shall include:
 - (A) A five-year pro forma operating plan and budget for Leahi Hospital and Maluhia; and
 - (B) A ten-year pro forma capital improvement plan and budget for the continuing operation of Leahi Hospital and Maluhia;
- (8) Requiring the working group's report to the Legislature to include the five- and ten-year pro forma plans, proposed legislation, and timeline of necessary major milestones to complete the transfer;
- (9) Requiring that the transition of employee positions and payroll be approved by the Director of Human Resources Development and Comptroller;
- (10) Removing language authorizing the issuance of general obligation bonds and appropriating proceeds of the bonds for improvements at Leahi Hospital and Maluhia;
- (11) Inserting an appropriation amount of \$200,000 from the mental health and substance abuse special fund for the formulation of a comprehensive business and transition plan;
- (12) Inserting an appropriation amount of \$16,320,700 from the funds received by the State of Hawaii from the American Rescue Plan Act of 2021, Public Law 117-2 (Section 9901) to transfer the Oahu Regional Health Care System in its entirety from the Hawaii Health Systems Corporation to the Department of Health;
- (13) Changing the effective date to July 1, 2021;
- (14) Changing the effective date for part II of this measure to December 31, 2022;
- (15) Removing the effective dates for parts VI and VIII of this measure;
- (16) Amending part I of this measure to reflect its amended purpose; and
- (17) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 628, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 628, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Senators Keohokalole, Baker, Dela Cruz, Kim, San Buenaventura, and Fevella.
Managers on the part of the Senate.
Ayes, 5. Noes, none. Excused, 1 (Baker).

Conf. Com. Rep. 183 on H.B. No. 1297

The purpose of this measure is to:

- (1) Require each department to submit program measures, cost element, and accounting reports for all non-general funds to the Legislature by November 1 of each year;
- (2) Specify that the cigarette tax revenues deposited to the credit of the Cancer Research Special Fund shall only be used for capital expenditures and only until July 1, 2041;
- (3) Cease deposits of cigarette tax revenues into the Emergency Medical Services Special Fund on July 1, 2021;
- (4) Subject certain special funds to deductions for central service expenses;
- (5) Statutorily establish the Cancer Research Center of Hawaii and establish lines of reporting and other administrative and funding provisions relating to the Cancer Research Center of Hawaii;
- (6) Limit the uses of funds expended from the Tuition and Fees Special Fund and Research and Training Revolving Fund; and
- (7) Require the University of Hawaii to provide an annual, rather than a semi-annual, report to the Legislature on the Hawaii Cancer Research Special Fund.

The intent of the Legislature is to fund amounts requested by Governor's Message Numbers 7, 8, and 9, and to fund any remaining Employer-Union Trust Fund agreements ratified after April 23, 2021.

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

- (1) Deleting its contents and inserting language that amends House Bill No. 200, H.D. 1, S.D. 1, C.D. 1 (Regular Session of 2021) to appropriate general funds for statewide collective bargaining costs;
- (2) Changing the effective date to upon approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1297, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1297, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Senators Keohokalole, Kim, Dela Cruz, San Buenaventura, Fevella, and Taniguchi.
Managers on the part of the Senate.
Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 184 on H.B. No. 862

The purpose of this measure is to:

- (1) Abolish the Office of Aerospace Development, Aerospace Advisory Committee, and the Hawaii Unmanned Aerial Systems Test Site Advisory Board;
- (2) Transfer administration of the Pacific International Space Center for Exploration Systems from the Department of Business, Economic Development, and Tourism to the University of Hawaii at Hilo;
- (3) Transfer the administration of and the budget for the Challenger Center Hawaii Program from the Office of Aerospace Development to the Department of Education;
- (4) Prohibit holdover board members of the Hawaii Tourism Authority;
- (5) Specify that monies in the Tourism Emergency Special Fund are to be used exclusively for emergency measures that directly relate to safety and security initiatives;
- (6) Require that the 3.5 percent cap on spending from the Tourism Special Fund include all governance and employment expenses, organization-wide costs, and a protocol fund, as administrative expenses;
- (7) Repeal the allocation from the transient accommodations tax to the Tourism Special Fund and Tourism Emergency Special Fund;
- (8) Repeal the Hawaii Tourism Authority's authorization to establish an advisory group;
- (9) Require the State and local workforce development boards to develop written conflict of interest policies;
- (10) Require the Governor to fix the compensation for the Hawaii Workforce Development Council's Executive Director and require the Department of Labor and Industrial Relations to provide support staff;
- (11) Clarify the employment of professional staff by the Public Utilities Commission;
- (12) Transfer Hawaiian cultural duties and responsibilities from the Hawaii Tourism Authority to the State Foundation on Culture and the Arts;
- (13) Mandate that the Hawaii Tourism Authority collaborate with the State Foundation on Culture and the Arts for its visitor industry marketing; and
- (14) Appropriate funds.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have prohibited holdover board members of the Hawaii Tourism Authority;
- (2) Deleting language that would have transferred Hawaiian cultural duties and responsibilities from the Hawaii Tourism Authority to the State Foundation on Culture and the Arts;
- (3) Deleting language that would have mandated that the Hawaii Tourism Authority collaborate with the State Foundation on Culture and the Arts for marketing purposes;
- (4) Deleting language that would have specified that monies in the Tourism Emergency Special Fund are to be used exclusively for specific emergency measures;
- (5) Deleting language that would have required that the 3.5 percent cap on spending from the Tourism Special Fund include specific types of administrative expenses;
- (6) Reverting to existing statutory language that authorizes the Hawaii Tourism Authority to establish an advisory group;
- (7) Reverting to existing statutory language that allocates a portion of the transient accommodations tax into the Tourism Emergency Special Fund;
- (8) Deleting language that would have required state and local workforce development boards to develop written conflict of interest policies;
- (9) Deleting language that would have required the Governor to fix the compensation for the Hawaii Workforce Development Council's Executive Director and require the Department of Labor and Industrial Relations to provide support staff;
- (10) Deleting language that would have clarified the employment of professional staff by the Public Utilities Commission;
- (11) Deleting language that would have transferred and appropriated funds for three permanent full-time equivalent (3.0 FTE) positions from the Hawaii Tourism Authority to the State Foundation on Culture and the Arts;
- (12) Deleting language that would have appropriated \$4,000,000 in general funds to the Hawaii Tourism Authority;
- (13) Authorizing the counties to establish, by ordinance, a county transient accommodations tax at a rate not to exceed three percent;
- (14) Decreasing the transient accommodations tax allocation to the Convention Center Enterprise Special Fund from \$16,500,000 to \$11,000,000;
- (15) Repealing the transient accommodations tax allocation to the counties;
- (16) Effective January 1, 2022, repealing the Tourism Special Fund and making conforming amendments and removing certain compensation package limits for the President and Chief Executive Officer of the Hawaii Tourism Authority;
- (17) Deleting language that would have authorized the Hawaii Tourism Authority to conduct market development-related research as necessary;
- (18) Repealing the Hawaii Tourism Authority's exemption from the Hawaii Public Procurement Code;
- (19) Appropriating \$60,000,000 out of the funds received by the State from the American Rescue Plan Act, Public Law 117-2, section 9901, for the Hawaii Tourism Authority;
- (20) Removing the severability clause;
- (21) Changing the effective date to July 1, 2021; and
- (22) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 862, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 862, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Quinlan, Onishi, Luke, and Okimoto.

Managers on the part of the House.

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

Senators Wakai, Kim, Dela Cruz, Baker, Misalucha, and Fevella.

Managers on the part of the Senate.

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

Conf. Com. Rep. 185 on H.B. No. 1281

The purpose of this measure is to:

- (1) Establish a three-year transfer of certain duties, functions, and powers relating to emergency medical services for the City and County of Honolulu from the Department of Health to the City and County of Honolulu, beginning July 1, 2021;
- (2) Require individuals acting as dispatchers in the State to obtain emergency medical dispatch certification by July 1, 2026, and maintain certification thereafter;
- (3) Clarify the Department of Health's requirements related to the statewide emergency aeromedical program;
- (4) Authorize an annual distribution of \$3,500,000 from the Emergency Medical Services Special Fund to any county operating a county emergency medical services system, beginning with fiscal year 2021-2022;
- (5) Appropriate general funds to the City and County of Honolulu for emergency medical services for fiscal years 2021-2022 and 2022-2023;
- (6) Appropriate monies from the Emergency Medical Services Special Fund to the City and County of Honolulu for fiscal years 2021-2022 and 2022-2023; and
- (7) Phase out funding from general revenues for emergency medical services in the City and County of Honolulu before July 1, 2024.

Your Committee on Conference has amended this measure by:

- (1) Removing the general fund appropriation;

- (2) Inserting an appropriation of \$84,257,043 for fiscal year 2021-2022 and \$46,990,131 for fiscal year 2022-2023 from funds received by the State from the American Rescue Plan Act, Public Law 117-2 (Section 9901), to the Department of Health for the operation of the statewide emergency medical services and injury prevention system; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1281, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1281, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Luke, and Ward.

Managers on the part of the House.

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

Senators Keohokalole, Dela Cruz, Rhoads, Moriwaki, and Fevella.

Managers on the part of the Senate.

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